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OR

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THE
BRITISH CRITIC,
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Quarterly Theological Review.

JULY, 1843.

ART. I.—*The Synagogue and the Church, being an attempt to show that the Government, Ministers, and Services of the Church were derived from those of the Synagogue.* By Joshua L. Bernard, A. M. Curate of St. Mary's, Dounybrook. Fellowes, London.

THERE cannot be a greater fallacy (though it is a very common one) than to infer that a matter is really doubtful or disputable, because those influenced in a contrary direction by education, habit, or general custom, find in it innumerable difficulties and perplexities. Let us illustrate this in an instance which none of us are tempted to question. We are perfectly convinced, that if Plato's theory had been carried out to an even greater extent than he proposed, if all the children in some given country were habitually taken from their parents as soon as born, and brought up by the State on definite and uniform principles, those admirers of the ancient paths, who should endeavour to restore the parental relation, might be met by arguments most forcible to the reason, and most impressive to the imagination. The Conservatives of the time would appeal to the record of foreign countries or of past ages, and collect expressions of devoted tenderness in the addresses of ardent and affectionate children to their parents, which to persons unacquainted with the peculiar feelings of that relation, might well appear encroachments on the honour due to God alone. Then they would point out the unsuspecting docility with which in such countries children are found to receive their parents' instructions, by means of which the most noxious errors bid defiance to the voice of reason and the progress of inquiry, and are propagated from generation to generation with undiminished intensity. "Is it found," they might say, "that the wicked have fewer children than the good? or, if that is not so much as pretended, shall we trust our future citizens, at that

very age when impressions are received most readily and adhere most closely, to the chance and random instruction of those, who in ninety-nine cases out of one hundred are plainly irreligious, and in the hundredth case know probably but little of the practice and theory of education? In those benighted countries where superstition still reigus, how many unhappy victims are pining away in secret under the oppressive rule of a father, their faculties uncultivated, their affections undeveloped! And are the dark ages to return upon *us*? are we to sympathize with the times anterior to that glorious revolution, when the yoke of parental tyranny was finally overthrown, when man was first taught to look directly up to God without a human medium, and to rebel against the authority of any *individual* to prepossess the infant mind with *his* notions of right and wrong, of truth and falsehood?"

Nor let it be supposed that these would only be the arguments of an ingenious sophist, contending unscrupulously against truth known and felt to be such; on the contrary such difficulties would be acutely felt by the most upright and conscientious minds, even by those whose moral sympathies on the whole might be very decidedly in favour of the proposed reaction. Nor, indeed, could the opposite side, so far as we can see, bring forward counter-arguments which would bear a moment's comparison with these, in the way of popular declamation or appeal to ordinary men. And that for this plain reason, not to mention others; viz. that the habits of mind which they would desire to re-introduce, from the very circumstance of their great superiority in *kind* over those prevalent among their hearers, would not admit of expression in any calculus which *they* could understand. This is indeed a cross which the proclaimers of high principles have ever to bear: while the *blessings*, which attend the diffusion of these principles, are unintelligible previously to experience, their influence on that order of phenomena, which is recognized is appreciated, is in many respects *primâ facie evil*.* The Christian *precept* against polygamy may quite as plausibly be considered the cause of excesses and disorders which would not otherwise have existed, as the Christian *counsel* of celibacy.

And this impossibility of understanding high principles in their true nature, on the part of those who have not personally embraced them, may serve in part to explain the sort of blind and frantic hatred, which in various ages of the world certain systems have encountered, and which may be considered one especial note of their truth. It will explain it too (which is much to be prized) in a way which allows us to attribute great purity and sincerity of

* *Primâ facie* ; not really, but the very reverse.

intention to numbers, who, like Saul of Tarsus, verily think with themselves that they "ought to do many things contrary to the" real truth of the gospel; and who, we may well hope, will like him "obtain mercy, because" they do "it ignorantly in unbelief." The appearance of a body of men banded together, who come athwart all the standard views and habits of action, and appear to threaten the whole framework of society; yet show in a manner not to be mistaken, by their steady and progressive march and leavening influence, that their bond of union, the idea by which they direct their reasonings and their conduct, is no delusion, but some most lively and energetic principle; this appearance, we say, may well impress the minds of those, who can form no conception of that principle as it really exists, with the idea of some mysterious and almost satanic agency. No cause then is there for sorrow or impatience, if those whom we most revere be extensively subjected to suspicions, which hardly fall short of this imputation. If the first Christians were regarded generally by the heathen as "haters of the human race;" if they were "slanderosly reported" to say, "let us do evil that good may come;" we may well bear it willingly, should bodies of men, more perhaps than any that can be named devoted, nay self-immolated, in the service of Christ, be classed in the popular mind under the same category; especially if in the latter case, as is most probable, individual instances might well be adduced, which would give plausible colour to the accusation. Nay, if we may venture on such a comparison, when our Lord Himself was reviled as being a "gluttonous man and wine-bibber, the friend of publicans and sinners;" we might well be prepared for hearing even heavier reproaches directed against the preachers of His truth, than that of being formalists, or semi-idolators, or advocates of a relaxed morality. "If they have called the master of the house Beelzebub, how much more them who are of his household."

So untrustworthy, as a test of its inward and spiritual truth, is the external appearance, which a system may present to ordinary minds beyond its pale. It is not that obvious and tangible facts are *really* at variance with inward realities in the testimony they give; but so it is and (paradoxical though it may appear) every day's appearance demonstrates it more clearly, our view of facts springs really from our view of doctrine, not the reverse; we read history by the light of our principles, in vain do we seek for principles by the study of history. Nor is there any more becoming instance of the great battle which faith has ever to wage against sight, than when we follow resolutely and confidently that guidance, towards which our moral nature in proportion to its development instinctively directs us; when we neglect, spurn, tram-

ple under foot those outward difficulties (whether in the way of evidence, or of apparent consequences in the lower and, as it were, material order of phenomena) with which, to our present less enlightened perceptions, the proposed truth may appear beset. Those then who would desire in their place to assist and further the revival of Gospel doctrines, must beware of allowing objectors to imagine that the contest can be finally decided *on their ground*; for such a concession gives them an undue advantage. Let others, if they will, lay their whole stress on the petty and interminable warfare of details, the hostile array of fact against fact, date against date, text against text, father against father: be it our task to throw ourselves boldly on men's higher and spiritual nature; and to represent the one Ancient Truth, in those varied forms of attraction and beauty, which may elicit the hidden sympathies, and draw towards themselves the aspirations, wandering as it were in search of an object, of those whom we address. Such a course springs, we must again and again repeat, from no distrust whatever in the real testimony of external facts, but from the conviction, that those, whom we should most desire to attract, will be led really by far higher considerations. To persons indeed who have been long trained and habituated in Catholic doctrine, the difficulty is as great to conceive, how any one can read history or look at facts and remain Protestant, as the opposite difficulty is found in general among ourselves. Still we do not deny, that after the heart of a religious person has been stirred in the right direction, his imagination may continue for a length of time haunted with its old Protestant spectres, with its old restless and uneasy suspicions about imposture, priestcraft, and spiritual tyranny. Nay, though we consider that he would act the nobler and more religious part by simply resisting its intrusive suggestions, still we fully confess that in that stage of progress, historical discussions and external reasonings may be entered upon with great advantage and prospect of relief. But when the heart is really stirred, the final step at last is merely matter of time; the one important crisis is already reached: what we protest against so warmly, is the vain and extravagant chimera, that the spiritual instincts and desires themselves will be really affected by arguments of fact and of detail.

It is for such reasons, that in taking occasion by Mr. Bernard's book, which we have named at the head of the article, to enter upon the subject which he has treated, being compelled by our limits to make a selection of topics, we shall take leave to omit all reference to those opponents, who declaim against the Christian priesthood, as being hostile to the progress of literature, or of physical science, or of civilization, or of political liberty; not

as though such considerations were absolutely unimportant (they are very far from being so), but because they are *relatively* so, when religious truth and spiritual grace are the subjects in question. Mr. Bernard's position, and it is one very commonly occupied of late, is, that it is "quite inconsistent with the religion of Jesus," and "in direct opposition to Scripture," when we call "Christian churches, temples—the ministers, priests—the communion tables, altars—the Sacrament of the Lord's Supper, a sacrifice." (Preface, pp. vii. viii.) In other words, he contends that the whole system of human, and, again, sacramental mediation, which the Catholic doctrine, no doubt, implies, the whole visible, sacerdotal, liturgical envelopment, which, as we against Mr. Bernard should maintain, the Church has worn from the very first, is in such sense Jewish as to be anti-Christian. This view is held in common by parties, wide as the poles asunder on matters of *positive* doctrine; by the politician or philosopher of this world, as well as by the popular religionist; and has, it cannot be denied, to those biased that way by a Protestant education, considerable show of reason and plausibility. There is one class of difficulties especially, impeding the reception of true doctrine on this subject, with which we feel the deepest sympathy, and which it would be the truest gratification, were we able in any degree to alleviate. These difficulties, under a great variety of shapes, converge, on the whole, to these two statements; that the Catholic system is unspiritual and unscriptural. Unspiritual, as tending to substitute outward form for inward purity, literal obedience to a priest for a conscientious waiting upon the dictates of God's Holy Spirit; as tending to divert the mind from the vision of God, by placing in its way a dazzling and attractive human system; to gender spiritual pride in the priests, and lower the standard of holiness for the people. Unscriptural, as being so absolutely contrary to the impression which we should naturally derive from the New Testament, that its supporters are necessarily obnoxious to the charge of no little disrespect for the Sacred Volume itself. This latter is Mr. Bernard's line of objection; but we shall come to its consideration under more favourable circumstances, when we have adverted in some detail to the former.

And it may be worth while in the outset to remind our readers, that we are defending a class of doctrines, which on the whole have the distinct sanction both of our Church's formularies and of our "standard divines," and yet are wholly alien to the very fundamental principles of our present *practical* system. The very word "*sacerdos*" which Mr. Bernard and Archbishop Whately, whom he quotes, regard as the symbol and spring of anti-Christian corruption, is sanctioned in the Latin version of our

Articles, which all the world knows to be of equal authority with the English.* The habit of confession to a priest is clearly enforced and recommended in our Prayer-book : and as to ceremonial, all the ornaments used in the second year of Edward the Sixth's reign are absolutely enjoined by a rubric. So much for the Church's sacerdotal office ; for her regal, we have fast-days and festivals appointed by her authority. For her prophetic, the Athanasian Creed speaks of something, which it calls "the Catholic faith," as so authoritative, that its denial incurs an anathema ; a sanction with which our Church has *not* invested the very fundamental basis of a "Scriptural religion," not even such doctrines as the Canoncity and Inspiration of Scripture itself ; essential and Catholic though those doctrines be.† And in their general view of the Church's office our "great divines," it is well known, have displayed the same spirit. As to ceremonial religion, in particular, who can possibly go beyond Archbishop Laud in his attachment to it ? and as to the Eucharistic Sacrifice, let any one impartially peruse No. 81 of the "Tracts for the Times." On the other hand, in our existing practice (though it is hardly worth while to set about illustrating what is so very plain) unlimited private judgment on the text of Scripture is openly claimed, and without rebuke, by our people. Again we have, in Ireland e.g., abandoned the very word "priest" to the Roman Catholics : an ordinary layman would be hardly more astonished at being told that his clergyman was in communion with the Pope, than that in the Eucharist the said clergyman offered "a sacrifice,"‡ "a propitiatory oblation,"§ "a complete sacrifice"|| for the people ; and certainly any thing more utterly irreconcilable with the whole idea of the relative sacredness of holy things and places, or of a symbolical and sacramental religion, than the popular mode of behaving in churches, or the ordinary form of Sunday service, it is difficult for the most active imagination to conceive.

Now this whole view, thus distinctly recognized by our Church in theory, thus wholly abandoned in practice, has been preserved abroad in practice as well as in theory. We are absolutely driven then, were we ever so averse, to consider Rome in its degree our model ; for we are met in limine by objections, derived from the wit-

* Title of Article xxxii.—"De Conjugio Sacerdotum." It has been, we believe, maintained that "*sacerdos*" here is used for "Roman Catholic priest ;" and had it been "*de celibatu sacerdotum*," this would not have been without colour. But as it stands, the article is on the *marriage* of English priests. What else can it be ?

† Still more observably, if possible, among the propositions included in the "Catholic faith, and guarded by an anathema, is one, which does not even profess to be the determination of a General Council, but rests solely on a Pope's dogmatic decree : we allude, of course, to the "Double Procession."

‡ Hickes, Tract 81, p. 256.

§ Johnson, p. 314.

|| Brett, p. 395.

nessed effect of these doctrines in Roman Catholic countries. So far of course as later introductions are concerned, such as images, and indulgences, and habitual Invocation of Saints, we should certainly be travelling out of our way in noticing them; nor do we intend doing so. But the general spirit, which impresses English travellers as so radically different from what they witness at home, is connected not specially with these, but with a class of doctrines, which there is not even the slightest colour for representing, as points of difference between Rome and the early Church. They are matters on which not the Roman, but the English, practical system is at marked variance with that antiquity, to which our Church has ever referred her children; and we cannot with any fairness defend antiquity, without so far including modern Rome in our defence. The English *theoretical* system agrees with Rome in these matters; the English *practical* system differs from her; in entering a protest then against our practical system in defence of our theoretical, we have necessarily the appearance of appealing to Rome against England. What is the specific class of doctrines to which we refer, is probably manifest enough to our readers, though not easy to express by a definition: at all events, it will be sufficiently shown as we proceed in our task.

Now the objection, which we proposed first to consider, has an especial claim on our notice, from the whole course of our previous remarks. If persons, who keep their conscience in a pure and healthy state by attempting a consistent and uniform obedience to God's commandments, feel that a new doctrine, proposed to their acceptance on its own grounds, threatens rather to chain them earthwards and fetter their spiritual development, than afford it scope and direction; we know not how any amount of external evidence can justify them in receiving it. And again, that such is the impression produced on the minds of many by the whole Catholic system of priestly, ceremonial, ritual, formal, observance, is matter of sufficient notoriety. "Popery," it is said (which here means, as we just now remarked, Catholicism as it existed from the first) — "Popery brings back that sensible material system from which the Gospel sets us free; it multiplies beyond all bounds the visible (not to speak of invisible) mediators between God and the human soul." Still those who are really earnest in their search for grace and truth, to whom, as being brought up in a very different system, the state of things they witness abroad presents this aspect, would do well to bear in mind such considerations as the following.

In the first place, that the natural man is enslaved to sense in a remarkable degree both in intellect and will, this will be the more

readily admitted by our opponents, from its being their very object to contrast this servitude with Gospel freedom. But let us view it a little more in detail. How is it, then, that the natural man arrives at the perception of such heavenly and spiritual truths, as are within the compass of his attainment? not by immediate spiritual vision, for such is denied to him; but through the medium of the external and visible system in which God has placed him. We are not now entering upon any questions debated in different schools of philosophy, but recounting plain facts which are admitted by all. To take then one religious doctrine, that we may the better fix our ideas; it is by moral action under this visible system, and thus only, that we learn, in varying but continually increasing degrees, the very *meaning* of those qualities, which in their perfection we attribute to God. From a father perhaps we derive our first notion of justice; from a mother, of loving tenderness; and thus in our gradual progress, every perception of good in others, every growth of it in ourselves; every strengthened and confirmed habit of love, of unselfishness, of diligence, of self-denial, of humility, of obedience, to which this external and social system is, by God's appointment, so well calculated to minister; all unite in this one result of gifting us with a deeper insight into the perfections of the Divine Nature. Then these habits enable us to appreciate the same, existing in a much higher degree, among our fellow-men. Thus it is, should we be much blessed in our outward circumstances, that our heart bounds within us, as we are brought within the sphere, nay, perhaps honoured by the notice, of this man so famous for self-denying philanthropy; of that man known for his stern and unbending zeal in the cause of right and purity; of a third, who has borne throughout a long and troubled life pain and sickness from within—injuries, calumnies, oppression from without—with gentle, uncomplaining, cheerful submissiveness, till the habit of resignation has been formed within him, which diffuses that indistinguishable air of peace and happiness over his whole countenance. All these become to us, each in his measure, fresh images of God; from our enjoyment in their company arises an apprehension of His attributes and of the blessedness of His presence, such as, most inadequate though it be, words and propositions would in vain attempt to convey.

Nor is this nearly all; nor is it embodied virtue only, which God has made His instrument for revealing Himself more fully to the humble believing soul. Whether it be natural scenery, or solemn ceremonial, or music, or architecture, or again poetry, which draws forth the sense of beauty in the particular case; so it is, that he who patiently continues in well-doing and in waiting upon God, is addressed by him through some peculiar channel, and re-

ceives "through a glass darkly" perceptions of eternal and heavenly truth; perceptions, which are as far beyond the power of translation into formal statement and measurement by ordinary ideas, as would be the impressions of the multitude on the day of Pentecost, when they were pricked in their heart and said, Men and brethren, what shall we do? Nor, lastly, must we forget, in enumerating the external sources of our knowledge, that formal statements themselves, the accurate doctrinal expressions devised by profound thinkers, are very real and important vehicles of religious truths to many minds. And to very many more again, the practical and popular enforcement of such truths, on the part of those who are themselves deeply versed in those statements, and serve as "middlemen," (if we may use the word,) between the great spirits of the age or of all ages, and the ordinary public.

And as it is with this particular truth, viz. God's existence and attributes, so it is with all other religious doctrines. Not otherwise than by the intervention of outward objects, are those religious impressions first conveyed to the mind, which are destined to remain thenceforward part of our permanent and habitual stock of knowledge. And as with knowledge, so with the affections; continually do outward circumstances become the occasion to us of stirring up some depth of feeling hitherto unknown, of imparting some hitherto unconceived experience of awe, or gratitude, or love, of which, when thus revealed to us, it becomes a direct duty that the highest and the purest returns should be offered up more and more undividedly to the Giver. But even much more is this dependence on outward circumstances displayed, in that vivid and momentary *impression* on the mind of truths *already* known, or active *excitement* of feelings *already* experienced, which tends so powerfully to influence the conduct: if the *intellect* be in some sense subjected to the senses, much more so is the *will*. Who cannot remember instances in his own experience, when religious truth has presented itself in the most plain and vivid colours, and yet the will, like the earth frost-bound in the presence of the sun, appearing literally unable to produce the fitting moral result; as though our soul and divine doctrine belonged respectively to two different spheres, wholly unconnected the one with the other? And then comes the presence and converse of some venerable instructor, from whom we have learnt holy lessons; or the united worship of some great multitude, appealing mysteriously to our sympathies; or some heroic act of another rousing our emulation; or some strain of music; or some beautiful scene of nature; and the fetters, which but now enchained our will, are in a moment burst through, and the religious *truth* is brought home to us as

practical, and the religious *feelings* elicited as natural, and we seem other than we were. True this may end at last in mere barren and transient emotion; and if so, we are but in a more hopeless condition than before: but it *need* not; it may be made the beginning and starting impulse of a new course of self-denial, or received as the appointed refreshment after long and cheerless toil. Or if we prefer more ordinary and every-day cases, how inconceivable beforehand is the experienced effect on the religious life, produced by the nature of those visible objects, by which we are surrounded. How innumerable are the evil thoughts, stifled in their birth by the mere presence of religious objects, or the mere associations of some holy spot, when otherwise lust would have conceived and brought forth sin, and sin finished would have brought forth death.

How far human nature is changed by the Gospel Gift, is a point at which we shall presently arrive. But, among whatever people the account we have given is, on the whole, a true description of that nature, an institution, charged with the office of religiously influencing that people, must resort, it is evident, to the profuse and varied exhibition of a visible and (to use the term without offence) mediatorial system. It must have a scheme of law, and moral discipline, in order to form in them a character which may duly apprehend religious truth. It must have ministers to expound that truth, and enforce it in degree and method corresponding to the respective moral or intellectual attainments. Ministers again, to supply that place through life, which parents at first occupy; to serve as an exemplar of virtue and unworldliness; to be on terms of such confidential spiritual intercourse with individuals, as to guide and help each one in his moral perplexities, and to supply him with that peculiarly strong motive for continuance in right, which results from the shame and confusion experienced in confessing sin to a fellow-mortal. Ministers, lastly, to engage in an unceasing visible round of holy worship; both for a memento to others of the true character, sacredness, and importance of that duty, and as a guide to its performance, and also as the means of bringing to good fruit the latent disposition towards it which this or that man may feel, by impressing on him the almost irresistible impulse towards its hearty and cheerful performance, which must ever arise from the witnessed sympathy of others, from the sound of a multitude of human beings, united in the same prayers and praises with himself. Then this institution must deal in unceasing appeals to the natural sense of beauty, through the external senses; as for other reasons, so also in order to impress on the minds of those committed to its guidance, such peculiar religious feelings and ideas, as can literally be com-

municated in no other way. So far as it failed in any one of these particulars, it would be not *more* but *less* spiritual than others; as failing in its appeal to one or more parts of the vast range of man's spiritual nature. So long as the appeal to the spirit lies through the senses, will any system be exactly so far deficient in spirituality, as it may be deficient in such appeals.

But how is it possible to discuss with gravity the question which we just now reserved? how can we set about to prove that human nature remains human nature after Christ's coming, as before it? Does then the Christian, in proportion as he is imbued with the spirit of the Gospel, lose his appreciation of music or of natural beauty? does the "*monitus locorum et temporum*" no longer appeal to his affections? does he find himself endued with some sudden and intuitive perception of religious truth, without graduation of progress, without medium of communication? On such a point the appeal is to *fact*, not to reasoning; and will any one say that the picture we lately attempted to draw, is not true, as far as it goes, of Christians in particular, not less than of men in general? Those theoretical dreamers, who speak as though they fancied that the Christian religion *revolutionizes* (if we may so speak) man's moral nature, show the utter baselessness and unreality of their language, exactly as often as they are compelled to confront facts. This is one, out of the many reasons which may be given, for the signal failure of any attempt to form a theology on "evangelical" principles. Certain persons have devised a theory, that under the Gospel, whether from the nature of its spiritual influence, or (as they more commonly represent it) of the truths which it discloses, gratitude for mercy received is a sufficient foundation, whereon a life of consistent holiness may be reared. And what is the result? This, that they cannot give one single practical rule, no not one, for the exercise or improvement of any virtue, without plainly abandoning their fundamental principle. No! Christianity makes no profession of performing on any one, who may have a taste for the experiment, an immediate, sensible, radical transformation, as though by some magical enchantment; "the Kingdom of God cometh not with observation," whether to the individual or to the world. Look at the Church in her three great offices. She claims to rule, yet calls not down fire from heaven on those who resist her sway. She dispenses spiritual blessings beyond measure and beyond price, yet cannot so much as explain their very nature to the politician, or man of the world: they recognize nothing more in the Sacred Elements after her consecration than before; yet she works no such sign as may startle the ungodly and profane into an acknowledgment of her privilege. And even her prophetic office,

which may at first sight seem an exception, is not so really. Her gradual and orderly development of doctrine, or of formal statement, seems to those without but as the rise and progress of any sect or school of philosophy; her decrees are the work of fallible "men, whereof all be not governed with the Spirit and Word of God;" they are brought about, like other truths, with no small admixture of human passion, and by means of argument and inquiry; nor has she any proof which can carry home conviction to the worldly sophist, or to the rebel against her authority, that while schools of philosophy in each successive step tend only to decay, she preserves ever pure and undefiled her original deposit, and proceeds in her advance from truth to truth, from doctrine to doctrine, without stumbling as without mis-giving.

True to the same principles, she does not so work her marvels on the individual soul, as in Baptism to impress on his own consciousness, or on the world's observation, the new relations into which he is brought, the new powers with which he is endued, the new sphere of unseen agencies with which he is brought into contact; nor yet does she forget that grace is the *complement*, not the *reversal* of nature; that the Christian is not unclothed, but clothed upon. The natural man forms habits of virtue by single acts of obedience and self-denial, looking to God for help, and with his thoughts fixed on heavenly truths; so also does the Christian: but, beyond any comparison, the spiritual influence which acts on *his* soul is more mighty and "instrengthening,"* and the heavenly truths, on which his faith is supported, more awful and transporting. The natural man has no intuitive perception of heavenly things, but depends on external guidance; so also does the Christian: but *his* guide is certain and unerring.† The natural man receives peculiar and invaluable religious impressions from objects of external beauty; and so does the Christian: but, as on the one hand his more highly endowed nature is able to apprehend ideas of a still higher and more mysterious character, so, on the other hand, he is not left to accidental human agency: the vast ceremonial, ritual, liturgical system, which is the Church's heritage; the noble building, the solemn procession, the ravishing chant, are, to an indefinite extent, the suggestions of the Spirit Himself to the beloved Bride of Christ. And if to the deep prejudices of modern Englishmen this statement appears at once utterly extravagant, let them read their Bibles and remember the case of Bezaleel; nay, let them ask themselves whether, in plain

* Dr. Pusey's translation of ἐνδυναμῶντι in one of his sermons.

† Any diminution of privileges which may be considered to result from the present state of Christendom is, of course, foreign to our present subject.

reason, the fit outward expression of the Church's feeling, e. g. on Good Friday, would not be an object so far surpassing all other outward things in majesty and sublimity, as to be a worthy occasion for special interposition.

And while the Church thus draws forth deeper harmonies from all the parts of our complex nature than it had entered into the heart of man to conceive, she imparts also, partly indeed by that very means, to all who will receive it, the one great gift, without which all else were vain and delusive, the gift of inherent righteousness. Innumerable as are the blessings which the Gospel has bestowed, still, if we may be allowed so to speak, its one great triumph and achievement have been the Saints: the "*Acta Sanctorum*" are the real external evidences of Christianity; and without the sphere of a sacerdotal and ritual system, let it never be forgotten, Saints there have been none. Will it be said that *they*, at least, have learned so far to mortify their senses, and commune habitually with their God, that they find this great visible system no longer needful? Were this granted (which it cannot be without great qualification), still the Church does not *find* men Saints, but *trains* them to be such. And of their number have ever been the most distinguished champions, the most enthusiastic lovers, of that outward framework which is here in question. We need not then consider their case any further, nor enter into a discussion which might possibly extend to some length. Either they still find this framework a precious help in their spiritual struggles, or their attachment to it arises from the memory of the inestimable benefits it has conferred on them in times past; and whichever alternative be adopted, our purpose is sufficiently answered.

In what has been said, we have had no thought of denying that the appellation of *freedom* might most fitly and appropriately be given to a condition, under which the intellect should receive religious truth by an immediate impression, and the will should, without struggle, obey the intellect, and the lower nature the will. This would, certainly, be most great and invaluable *freedom*; the question is one of fact, is it *Christian* freedom? is it really given us under the Gospel? And this question of course the experience of every moment answers in the negative. Now let it be observed, in relation to this, that the Christian state in this world is very far from being represented in Scripture as the highest state attainable, but the very contrary. A future existence is promised us, so we be faithful here, under the term "redemption of the body," and other similar appellations, in which we *shall* see "face to face;" in which we *shall* "know even as we are known;" and in comparison of which, this present life, even with all the fulness of Gospel blessings, is but a condition of servitude, a vale

of tears. It may be taken, perhaps, as the especial definition of the condition of the Church militant, that she is gifted with all those blessings which the most ardent imagination can conceive, so far as is consistent with plain facts, which are matters of *experience*; the Gospel, considered as a *revelation*, reveals *blessings*. That pain, sorrow, and privation are still the lot of a Christian, we need not resort to Scripture that we may discover; plain, every-day facts make it sufficiently certain: that, notwithstanding these facts, Christians are "made to sit in heavenly places," and "taste the power of the world to come," this is received in the first instance by faith only; though experience confirms it, as the spiritual life grows and expands. In an especial sense, then, is Christianity here below the religion of *faith*: as contrasted with other religions, because tidings so infinitely more glorious and wonderful are offered to the belief; as contrasted with the promised future, because they *are* believed, not seen, not made the objects of obvious (at least) and sensible experience. And we maintain this, that the whole class of objections, raised in these latter days against the visible sacerdotal dress which, from the very first, the Church has worn, depend for any plausibility they may seem to have, on philosophical assumptions, which will have absolutely no foundation in fact, until our pilgrimage shall have ended, and we, if so be, entered into our Home.

All this seems really so very plain, that it may well excite our wonder, how the opposite view can have been ever confidently and unsuspectingly maintained. And sometimes, indeed (though it is most difficult to bring Protestant controversialists into agreement, not with each other only, but with themselves)—sometimes so much as this has been admitted, and the point of objection removed farther back. The great importance of visible religion for purposes of *edification* has been allowed; but any ascription of *sacredness* to it condemned as "Jewish." In fact, language of this sort has been held:—"The early Christians were accustomed frequently to engage in prayer at the Martyrs' tombs: so far as this tended to relieve or to cherish their devotional feelings, we admire them; but when they considered that by coming there to pray, they obtained a closer interest in the intercessions of those Martyrs than by praying at home, their act was weak and superstitious. They used, in all times and places, the sign of the cross: as a memorial of the great doctrine of the Gospel, it was a good and pious habit; but when they came to think, that by that sign they put devils to flight, and drew to themselves the fuller blessing of Him who died on the cross, they corrupted the purity of the Gospel. When Catholics of the present day build

beautiful churches, and adorn them with all costly and seemly furniture, to impress on Christians, by that means, high and religious truths, they do well ; but when they reverence those churches as the especial resort of Angels, when they speak of paten and flagon as relatively sacred, when they consecrate with a religious service bells and vestments, they fall back into the rudiments of the law. When we set apart a class of men to instruct the ignorant, warn the sinful, advise the serious and humble Christian in his difficulties, we do our plain and bounden duty ; but when the class so set apart is represented as the channel of divine grace, we protest against a revival of the Levitical priesthood, which represents man as the author of a divine gift, and confines the full privileges of the Gospel to a self-elected oligarchy."

In strict accuracy of classification, it would be hardly correct to consider under one head all the topics here brought together ; and, in fact, the last special objection we shall be able to consider more fitly in another place. In answer to the rest, it might be worth while to enlarge upon the circumstance, that if these objectors had their own way, they would introduce precisely that very principle, against which they are commendably zealous, the *theatrical* ; for such surely is the use of ornament for mere effect. The curtain falls or the scene changes ; immediately form and reverence cease, the workmen hurry to and fro, all hands are busy, and in a few minutes, out of perhaps the same materials, comes forth another pageant, equally hollow and unsubstantial. But this line of argument has been more than once prosecuted in these pages, by a hand far more competent to do it justice. Let us confine ourselves, then, here to the plain fact. *Is* it found, as the objection supposes, that in proportion as men become more spiritual, they tend more to treat the Bible externally as an ordinary book, or to throw religious pictures rudely about the room, or to allow themselves the same licence of thought, speech and action within a church as without it ? Or, rather, is not the very contrary as plain as day, that in the case of religious feelings, as of our other deepest emotions, it is the very law of our nature, that those possessed by them shall appear, in the world's eye, to dote on trifles, and be childishly intent on forms ? that they shall cherish, with a loving and reverent regard, every thing which may serve to remind them of, everything which has the most distant connection with, the beloved object ?* This idle

* The following extract from M. de Maistre's beautiful "*Soirées de St. Petersburg*," expresses exactly what we mean :—"Two sisters have a father away, engaged in war : they sleep in the same chamber ; the weather is cold and inclement ; they speak together of the dangers and sufferings which beset their father. 'Perhaps,' says one, 'at this very moment he is bivouacking ; perhaps he is lying on the ground, with no fire or covering ; nay, who knows if this be not the very moment the enemy has

notion of our religious feelings being radically different *in kind* from our other affections, different, that is, in such sort, that their mode of perception and of expression shall have no resemblance and analogy,* is exactly parallel with that other extravagant theory, of which we lately spoke; and is really so monstrous, that we are persuaded no serious minds, who will trust boldly their higher and better instincts, could give it a moment's credence. It is a mere dry, false, stereotyped formula; one of those many formulæ, which are common among us at the present day, and have their origin in that blind antipathy to Rome, wherein, as in a sacred principle, we have all been so carefully nurtured.

Let us take the first instance above named, which may well stand as a specimen of a class. The early Christians, under an impulse similar to that which influences us in regard to objects of mere earthly affection, assemble for prayer at a Martyr's tomb on the anniversary of his birthday to eternal life; would or would it not be joyous and happy tidings to the more spiritual of their number, were it then first revealed to them, that in so doing they are not only following a holy instinct, but putting themselves also into a real and mysterious connection with the Saint, from their proximity to that earthly tabernacle, in which a Divine Presence had dwelt? Or in the instance above alluded to of the sign of the cross; or again, in any of those religious symbols, which in a truly Catholic country would meet the eye at every turn and excite the Christian to devotion; would persons whose perception of heavenly truths was more than usually keen and lively, be rejoiced or pained, at being told that these symbols not only represent grace, but in their measure convey it? There are those doubtless who profess seriousness, and would yet hear such intelligence with no joyful emotion,—those, namely, who believe that the path to Heaven is easy, or their place in it secure. So far as this view is realized in any given person, his heart no doubt is closed to these, as to other genuine and healthy feelings. Would that words of ours might serve to awaken the unhappy victims of this heresy of personal assurance, to a sense of its poisonous and

chosen.' She springs from the bed, runs to her desk, takes from it the picture of her father, places it under her pillow, and rests her head on the cherished memorial: 'Dear father, I will protect you!' 'My dear sister,' interrupts the other, 'you seem really out of your wits. Do you imagine that catching cold will save our father, or that he will really be in greater security because your head is resting on his picture? take care you don't break it; and, moreover, take my advice, go to sleep as fast as you can.' There can be no question that her arguments are very forcible, and her statements very true; but if you had to marry one or other of these sisters, which would you choose?"—vol. ii. p. 233, 234. What an astonishing thing it would appear, moreover, were the charge of *formalism* gravely preferred against the more enthusiastic of the two sisters.

* See the whole of Bishop Butler's Sermon on the Love of God.

corrupting influence; to show them how miserably it deadens faith, quenches love, nay, eats the very heart out of the Christian character! But let us impress on our conscience and our imaginations the awful thought, how numerous, watchful and implacable are the enemies against whom we have to contend, day by day, hour by hour, minute by minute; how arduous the contest, how uncertain the victory; and we shall rejoice to learn that the channels of grace are as multifarious as are the instruments of temptation, and that the world and flesh may be combatted on their own ground.

Such would beyond question be our simple feeling, had we been educated under such a system. But this has not been the case; and serious minds *without* undoubtedly feel objections, which perplex and astonish those *within*, as trifling and almost unmeaning. The two principal of these we may briefly consider. First, it is imagined by some that a view of the external world such as has been here described, will lead naturally to the disparagement of ordinary and social duties; nay, even more, of inward sanctification. It is surmised that instead of remaining at home, to mind their business and watch and correct their thoughts, men would be led for excitement's sake from one church or sacred object to another, under the superstitious belief that such mental dissipation is a real spiritual benefit, and that holiness may be obtained without a watchful cultivation of the interior life. As to the multitude of men, that they will stray on one side or other from the narrow path, is not a peculiarity of this or that system, but the general law of human nature: and to go for excitement's sake from one church to another, is at least better than from one alehouse to another; for it keeps alive a vague impression of awe, and reverence, and belief in the invisible world. But as to the more serious, is it forgotten how unspeakable is the importance which the Catholic system has ever attached to *good works*? is it imagined that any spiritual benefit which the Church dispenses through her various outward channels (apart, that is, from the sacramental ordinances in the modern sense of that word) is supposed to be for a moment comparable with that which will be derived from one bad thought boldly repressed, or one throb of pain or pang of sorrow borne cheerfully and with a willing heart? or that any blessing at all can follow an outward act of religion, when plain duties are neglected in order to perform it? or is the influence of the confessional forgotten? The real security against abuse of the doctrine of material sacredness, against the degeneracy of sacramental objects into mere charms and amulets, lies in the habitual and practical inculcation of the great truth, that salvation must be wrought out *within* the individual, not externally

to him. He can get little harm by a reverential regard for any number and variety of external objects, so long as it is sanctity, not merely pardon, (still less licence for continued sin,) which he seeks from God by their help. How far the spirit of Lutheranism has in fact been allowed in some measure to make encroachments in the Church abroad is another question; that whether abroad or at home, so far as it exists, it brings omnigenous corruption in its train, is no question at all; but the remedy must be sought in such cases, if they exist, by removing the modern, not the ancient, element. Still in real truth, looking even now at the practical working of Catholic systems, it is found that the fears of which we have been speaking are visionary; it is found that external religion is not a substitute for social duties, but a mode of sanctifying and cheering them. And even such more solemn celebrations, as those alluded to, for instance, in our number for last October, when ordinary occupations *are* deserted and a general excitement prevails,* supply the place not of *labour* but of *recreation*. Yes; even recreation bears its direct part in the office of preparing man for Heaven, and is made at once more hallowing and more enlivening. We do not indeed dream of denying that where Catholic principles are allowed full scope, the humbler classes will be subjected to a far smaller amount of labour, than that in which our present most unchristian habits have involved them; for the most opposite parties are beginning to see that this is one of our most crying social evils. Such a diminution, however, as is evident, would result from considerations altogether independent of the difficulty we have here discussed.

But sometimes an objection is made of this kind: it is supposed that the sanctification of times and places tends to disparage the great principle, that all time and place should be devoted to God's service. This view is simply unreal, nay unmeaning; and proceeds on the old hypothesis, that our nature is *changed*, not *elevated*, under the Gospel. Persons have sometimes refused to adopt stated forms of prayer, on the ground that they should *always* commune with God; but few, even of those most opposed to us, will entertain much doubt where this practice will naturally end. So are we constituted, that all our habitual feelings, dispositions, tendencies result from a temporary *intensity* of regard on one object after another. We *can* only have one thing uppermost in our thoughts; and our true wisdom is, that all important matters of consideration should *in their turn* be uppermost. Again, we are placed here to prepare ourselves for a state of life, where our one happiness shall be to love God, our

one employment to serve and praise Him. To attempt such a life here below, is not merely impossible from the variety of duties which connect us with earthly objects, but even were that otherwise, it is impossible to ordinary men, from the infirmity of their nature and habits of past sin. The very thought of it would crush and overwhelm them. Is the habit then "unspiritual" of so devoting special times and places, to the exclusion of all worldly thoughts, that they at least may be special types and images of our future lot? or is that doctrine "unspiritual" which tells us that there *are* such directly hallowed for the purpose? But the fallacy of the objection, as above stated, is too transparent to need more words. The only alternative in fairness is, between times and places hallowed by each individual for himself, or by the Church for all. Nor for our present subject need we enforce the great superiority of the latter procedure, because there is nothing even *apparently* more spiritual in one than in the other. Nor again need we go to great length in pointing out how completely any idea of sacramental influence, even in the holy Eucharist, is implicitly denied in such objections, for this is probably no secret with most of those who make them. We may merely remark, in passing, on the exquisite adaptation to human nature of that provision, by which one brief moment, that namely when we receive the Sacred Elements, is constituted a crisis, as it were, in our spiritual life, a brief period of unspeakable wonder and blessedness, for which we prepare our mind beforehand, and towards which afterwards we cast back our thoughts. Much might be said too on the whole subject of the Christian year, but that it is needless to insist further on a principle so obvious.

Or to take the difficulty in a more general shape. It being an undoubted fact, that under the Gospel, as under the Law, our bodies are subject to material laws and our souls most powerfully affected by material objects, which is that view of doctrine which gives to the Christian condition its greatest dignity, that which ascribes an *increased* or *diminished* sacredness to matter? that which *hallows* churches or which *desecrates* them? The reply surely cannot be doubtful. And now coming for a moment from presumptions to facts, it is as plainly declared in the New Testament as words can declare it, that the former *is* the case. Our body, e. g. is described in Scripture as holy, for a twofold reason; 1, that it is the temple of the Holy Ghost; and 2, that it is, as it were, the seed and principle of that "spiritual body" which shall be. And both these reasons are peculiar to the Gospel. Again: let a person fully apprehend and realize the notion, now so popular, that the superseding of all local and material sanctity is one principal object of the Christian scheme, and let him then

be referred, not to any part of the four Gospels, (for there we may be met by the miserable special pleading sometimes employed to disparage appeals to that most sacred portion of the sacred volume,)—let him be referred to the history of inspired Apostles, after the day of Pentecost, after the enlightenment of the Holy Ghost. “They brought forth the sick into the streets and laid them on beds and couches, that at the least *the shadow of Peter passing by might overshadow some of them.*”—*Acts*, v. 15. “From his (Paul’s) body were brought unto the sick handkerchiefs and aprons, and the *diseases departed from them and the evil spirits went out of them.*” Let him not be content with the first vague and general impression, but carefully dwell e. g. upon the latter case. Some disciple treasures with (as we should be inclined to say) superstitious care a handkerchief or apron which has been near the Apostle’s sacred body, and bears it with triumph home to a sick relative: his reward is, that the sick man is cured. St. Paul, if any one, was zealous for the principle of faith as against Jewish ordinances; in no particular is this contrast more apparent, say the religionists of our day, than in the superstitious ideas entertained by the Jews of the relative sanctity of material objects; such then, we are left to infer, was St. Paul’s method of preaching his especial doctrine. Certainly if any class of men exist, who boldly and unblushingly oppose the Bible, both in its plainest individual declarations, and in its whole scope and general spirit, the “Bible Christians” are that class. Lastly, let us allude to the sacred doctrine of the Incarnation. Is it not most remarkable, that that very religion to which people so confidently ascribe (if we may use the phrase) a peculiarly anti-material character, had its origin in a fact, which unbelievers would consider a more daring circumscription of the Infinite within the bounds of time and space, than the wildest imagination could have conceived? And this, it has been said,* *is the one* Christian doctrine which has no parallel in the phenomena of nature. In a word, is Protestantism more “spiritual” than Catholicism, in any sense in which Socinianism and Deism are not more “spiritual” than either?

The Church, then, makes large use of external objects, for it is her office to teach; and those objects become sacred, for she is full of grace. A still more important instrument in her work of spiritual culture, and one to which Protestants, if possible, still more object, is the exercise of what may be called her judicial and legislative functions; those, namely, whereby she witnesses

* Newman’s University Sermons, pp. 33, 34.

and enforces God's eternal laws, proclaims those rules of the Gospel which are of Divine appointment, and fixes also on positive enactments of her own, in subordination to those, and for their more adequate performance. To defend at length her mode of fulfilling the former of these functions, would rather belong to the controversies on justification than to the class of subjects we are here discussing. Since, however, it is a very principal part of the ordinary charge of Judaism brought against her, a few words on the subject may be admissible. That the Church, during her whole course from first to last, has made it so prominent a part of her office that nothing whatever has been more so, to bear witness to the holy and eternal law of God, this is very obvious, and is seen on the very surface of her history. It is evidenced alike in the strict discipline and careful adjustment of penitential inflictions prevalent in the earlier ages; in the scientific theory on the subject, in the detailed examination of the sources, the comparative turpitude, and the remedies of each several transgression, which Catholic doctors in the mediæval period so carefully elaborated; and in the nice and subtle questions of casuistry, in which the same principle has naturally issued, under the complicated and entangled circumstances of modern civilization, in the hand whether of foreign theologians, or of those among ourselves (such as Sanderson and Taylor) who have drank most deeply of the genuine Catholic spirit. And the same witness is brought before, not students only, but her children of all ranks, by those very careful and searching heads of self-examination which are propounded abroad as helps to the confessional, and the like of which (more or less) may be seen in our own Church, in such works as that admirable manual, "Sherlock's Practical Christian."

Now it could hardly have been anticipated by any, not knowing from experience how miserably Protestantism depraves the moral faculty, that this pointed and consistent upholding, this raising aloft, as on an eminence, of the moral law, in all its strictness, purity, and beauty, has been made in many shapes a reproach and objection to the Church's teaching, as though in so doing she slighted and disparaged the peculiar truths of the Gospel. It might have seemed *à priori* incredible, that a class of objectors could have risen, calling themselves Christian, whom it would be necessary to remind, that attention to all the detailed commandments of God's natural law is the one only foundation on which the superstructure of Christian faith can possibly be built, the one only discipline by which true spiritual perception can possibly be acquired, and Gospel truths received as they are in themselves rather than in the shape of some base counterfeit. Nay more, that so far from disparaging Gospel gifts, this very law has an altogether pecu-

liar and most precious interest in the eye of the Christian, from the inalienable and exclusive characteristic which is the property of genuine Christianity, that under it alone, of all religious systems, spiritual strength is given and spiritual motives are proposed, which enable believers to fulfil consistently, in some adequate and illimitably increasing measure, *the whole* moral law. To put the law out of sight would be a suicidal act on the part of the Church: it would be to hide under a bushel her most glorious note—to conceal from the eyes of men the emblem of her most splendid victory. No wonder that Protestant sectaries desire to withdraw into the background that law, which to them, as to the Jews of old, and to the world at large, is in its fulness but condemnation. But to the Church it has ever been in part a song of triumph; though in part, and in a certain sense, it is, even as regards the best men living, a condemnation also. On this, however, we shall have presently to speak at greater length, and in a more appropriate connection.

But if, in speaking of the Church's consistent principle of prominently upholding and witnessing to the moral law, we have stepped slightly beyond our present range of subjects; her *mode* of doing so, on the contrary, her system of education and discipline, of confession and penance, her fasts and feasts, her offices of prayer and praise, so far as they bear on this object, make up a very integral part of that range. Nor let any one be surprised that we bring under this head such ordinances as these latter. Nothing is more remarkable in the system of the Church than the close and intimate connection she ever preserves between the moral law and her most solemn celebrations, or the highest and most peculiarly Christian doctrines. Her sorrow for her Redeemer's sufferings is quite indiscriminately mixed up with her members' remorse for their own sins; her joy at His resurrection, following St. Paul's example, she closely connects with the thought of that resurrection from the grave of sin, which His rising has empowered us to accomplish. If there be a day in the year when the exclusive memory of evangelical blessings might have been expected, it would be Easter day; yet our collect for that day, which is used throughout the Roman Church, places before our minds the bringing of "good desires" to "good effect." Nor should we forget the verse which is almost part of the regular doxology to the Easter hymns in the Breviary:—

" Ut sis perenne mentibus
Paschale, Jesu, gaudium,
A morte dirá críminum
Vítæ renatos libera."

This being the case, how is it possible to separate the offices

respectively of implanting a habit of obedience to the moral law in all its fulness, or on the other hand of rearing up the Christian character in all its completeness of belief and practice? Such a line is impossible. We are led then to consider under one view that whole harmonious chain of ordinances and institutions, in detail ever differing, in principle one from the first, which is her great instrument in indoctrinating her children with that character. As we have already spoken of those external appeals, which she simply provides and then leaves to produce their natural effect on the Christian's heart and conscience, so we have now to speak of those (even far more important) helps, in which she requires his active co-operation. And considering how singularly self-will, in all its shapes, stands forward as the one great enemy we have to encounter in the arena of life, it will appear difficult to determine which would be the more unhappy slavery, were the Church on the one hand to exercise a harsh, inconsiderate, cruel, unrelenting sway, or, on the other hand, to place on our necks no yoke at all.

There is a class of ordinances, indeed, which it would be speaking unintelligibly to call harsh and cruel, but which are, in a peculiar sense, barren, unprofitable, and burdensome; and it is a matter of no uncommon allegation, that of this nature are those sanctioned by the Church. As an illustration of what we mean, suppose a person endued with keen spiritual tastes, and with an unusual capability for deep religious meditation, to be thrown by plain duty into circumstances where his life is one of continual hurry and occupation, and his associates, moreover, scoffing and profane blasphemers. Doubtless, by submitting meekly and patiently to this dispensation, he might obtain a peculiar blessing from God; and by the light of even natural religion would be led humbly to hope that, whether here or hereafter, scope would be allowed to those gifts which he had received. His lot in life, then, may be made the *occasion* to him of great spiritual benefit; but no one would call it the *means* of such, in the same sense e. g. with being born of religious and affectionate parents, or being blessed with exemplary friends. Yet, on the other hand, a dispensation of providence *might* be of a very painful character, while, in the strictest sense of the word, a *means* of moral improvement; e. g. the loss of some earthly object to whom we are idolatrously attached. The difference in character between these two painful visitations is obvious to the most casual observer; the former is painful to our *spiritual*, the latter to our *carnal* nature; the former is *in itself* a temptation to evil, the latter *in itself* an inducement to good: though the latter may undoubtedly be, by human sin, *perverted* to evil, and the former, by human virtue, *improved* to good.

Equally plain is it that religious ordinances may, in their measure, partake of either of these two characters; they may be either a support or an oppression; either mould the spiritual life, or repress it and stint its growth; and that, so far as they belong to the latter category, their very object is perverted, that object being, not to increase the difficulties of doing good, but to diminish them. Perhaps one of the most striking instances that can be named of this abuse is in the Kirk of Scotland, where the whole external duties and appliances of religion seem to consist in coming each Sunday twice to church, in order to hear a long extempore prayer, and a still longer sermon; of which regulation it is, perhaps, not too much to say, that some persons, of right religious principles and keen religious feelings, who should be subjected to it, might find life hardly endurable under so heavy a burden. But that the Catholic Church, in any time or place where her characteristic principles have been in any fair measure preserved, has enacted any rules of this character, is a charge which we meet with a simple and unqualified denial.

The proof of this must be, of course, by an inductive process, and cannot be entered upon here; we may instance, however, a specimen or two, sufficient to show the *kind* of proof. It is perfectly conceivable, e. g. that the mould into which the united prayers of the Church are thrown, shall be destitute of poetical beauty; shall offend the spiritual taste by inflated declamation, lengthy verbosity, tedious sameness, wearisome repetition; that it shall not give sufficient utterance to all those feelings and desires which Christians in public prayer would wish to express, or all the great doctrines of revelation which they would desire to honour. Now the Roman Breviary may be considered in its general structure, altogether apart from more recent additions; and is, perhaps, the best general representative that can be chosen of the Church's public devotions from the first. The appeal, then, is to facts: is the Breviary open to any of the charges we have specified? * Or we may conceive the religious service in any community to be of itself satisfying and beautiful, but the exter-

* We are looking with great anxiety for the continuation of M. Guéranger's most admirable works, the "*Institutions Liturgiques*" and the "*Année Liturgique*." The former is addressed to the students in divinity, the latter to ordinary laymen. Even as far as it has gone (two volumes of the "*Institutions*" and one of the "*Année*") it places in a most striking light the deep and varied beauty of the Roman Offices, and of the whole system of the Christian year. But when both are completed, when we have for the student a scientific analysis of the Missal and Breviary Services for Advent, Christmas, &c. as they come in order, and for the laity a manual of the most ardent and beautiful devotions, adapted to the same seasons, we may almost anticipate a new era in the celebration and frequentation of public offices in the Roman Church. Nor, we may depend upon it, will the contagion be slow in spreading to us, nor will the English Churchman be less indebted to the Abbé's invaluable labours. We cannot too strongly recommend the one volume of the "*Année Liturgique*," which has already appeared, and which gives devotions for each day in Advent.

nal accessories shocking and repulsive, rather than attractive, to the spiritual nature: such a community, it is plain, would be so far wholly destitute of the spirit which has animated the Christian Church from its very foundation. Or if the whole "mediatorial" system, which we are engaged in defending, be acknowledged as highly beneficial to the spiritual nature, the absence of it, in any religious body, would justify a charge of, as it were, *negative* formalism. Or, again, the various observances of some community might be singularly influential on the character, but in a wrong direction; they might train it towards vice instead of virtue. This would, of course, be *worse* than formalism; but will be hardly spoken of, even in the most prejudiced quarters, as applying to any development of the Church Catholic. Lastly, it is quite conceivable that a number of unmeaning forms may be imposed on the people, with which they shall be required to comply with minute exactness, and in which, far more than in the heart and thoughts, true religion shall be supposed to reside. This charge seems fairly adducible against e. g. Hinduism and the Eastern forms of religion; in its measure, too, against a peculiar phase of Protestantism prevalent in the present day, except that in this case it is outward *words* rather than outward *acts* which they are tempted to substitute for the spiritual mind. Now that anything ordered in our own Prayer-book has this tendency, few, perhaps, will maintain; and foreign Churches may, with equal certainty, be defended against any charge of the kind. The real fact is, that their alleged formalism, when contrasted with our *practical* system, mainly consists in this, that the people are *not* restrained by forms; that they are allowed and encouraged to vent their warm devotional feelings in such external acts and gestures as naturally express them, instead of being bound by harsh and cruel custom to an exterior of polite indifference, a cold, cramping, stifling uniformity. An instance will make this plainer. In the Holy Week, when the chanting of the Gospel has reached to the point of our Blessed Redeemer "giving up the ghost," it is the habit abroad for all to kneel, and engage in silent prayer for a brief space. Which will the deeply devotional Christian feel as *formalism*, the encouragement of such a practice, or its prohibition? In truth, any one may see, that so far from the minute ceremonial practised in the religious services being a burden to the people, it is their greatest delight; that it affords to their natural feelings of awe and reverence a satisfaction which they especially prize; and that it refreshes them for that strict performance of religious and moral duties, which the confessional tends so powerfully to secure.*

* We have looked into the questions preparatory to confession, in the "Garden of the Soul," (the most popular devotional work among English Roman Catholics, and

But, returning now to those laws and institutions which are plainly means of grace, it is very possible, nevertheless, for a religious body to err grievously in their appointment; just as, in the instance which we chose as parallel, one bereavement might be simply beneficial, while an accumulated succession of troubles might be more than, without special help, the soul would seem able to endure. Thus prayers and austerities might be enjoined, in a degree highly beneficial to advanced Christians, but disproportioned to the individual; more than his health, or his spirits, or his lot in life, or his growth in holiness, qualify him to receive. And so far as this should be the case, the same effect might follow, nay even worse, as in the former case. Thus, were the Church to apply those penitential rules, which were appointed under one state of circumstances, to another state in many essential respects different; were the discipline of the fourth century enforced in the nineteenth, she would most fairly lay herself open to this charge.* But one of the most obvious facts in her whole history has been her unceasing change of discipline and of detail, as her circumstances and as the world without her have changed. Nor, perhaps, of those many characteristics which point her out as the "King's daughter, all-glorious within," which claim for her the deference and obedience of the world, is there one which so especially melts our hearts before her, not one in which she has so received the impress of her Master's character, as that exceed-

which is, we believe, of precisely the same character with similar works abroad), with a view to the common allegation, that a disproportioned attention is given among them to ritual observances. The questions in all are eighty-two in number, and take a very wide range (as all must allow) through the expanse of moral and religious duty. Of this number, the only ones which can possibly be represented as bearing on points of outward observance are the following:—

"Have you neglected to hear mass upon Sundays and holidays of obligation? or have you heard it with wilful distractions? or not taken care that your children or servants should hear it? How often? Have you spent those days in idleness or sin? or been the occasion of others doing so? How often?"

"Have you done any servile work without necessity upon those days? or set others on doing so? How often?"

"Have you broken the days of abstinence commanded by the Church, or eaten more than one meal on fasting days? or set others on doing so? How often?"

"Have you neglected to confess your sins once a year? or to receive the blessed Sacrament at Easter?"

"Have you neglected to perform the penance enjoined in confession? or said it with wilful distractions? How often?"

"Have you presumed to receive the blessed Sacrament after having broken your fast?"

As to the accusation so commonly made against Rome, that she neglects to cultivate inward religion, it has no such *prima facie* plausibility, as some other charges brought against her (whatever their *real* justice) must be confessed to have. The system of spiritual retreats, the most powerful, probably, which the world has ever seen for spiritualizing the carnal mind, belongs exclusively to her.

* The wish expressed in our commination service refers only to a small part of that discipline, and reserves, moreover, the question of *degree*: "put to open penance," and "punished in this world," does not determine the amount, or the kind of punishment.

ing loving tenderness to sinners, with which, in all her appointments, her heart seems to gush forth. This, of course, from the nature of the case, is a quality which we cannot fitly appreciate, as she displayed it in times wholly differing from our own; for if there be one problem more deep and inscrutable than another in the science of mind, it is the apprehension of the recondite and subtle principles, which are at the bottom of that wonderful external fact, the change which human nature itself almost seems to undergo, from change of manners and habits. In times comparatively modern again our illustration must necessarily be taken from foreign Churches, for our own has given up all control over her own discipline into the hands of the state. We would appeal, then, as a very inadequate instance of the thoughtful consideration of which we speak (though instances might be multiplied without end), to Bellarmine's short, yet most complete, summary of the causes which are considered by his Church to dispense with the obligation of fasting.*

To speak in detail of the various ordinances of the Catholic Church, and in any adequate measure to sound their praises, would require of course volume upon volume. Our aim has been, here as before, to confine ourselves exclusively to the consideration of *objections* which have been made, whether to principles or details. One ordinance again, to which special objection *has* continually been made, from its peculiar importance formed the subject of distinct consideration in our last number; so that nothing need here be added on the matter: we allude to Sacramental Confession. And on this general subject, then, as on others which have come before us, the result would seem to be, that whereas, while human nature remains the same, external government, laws, institutions, habits must be adopted by any religious body which desires to draw men's souls to God, the Christian Church has her peculiar gift in this; not that she omits so essential a part of discipline, but that (over and above the fact that she alone ever preserves a true conception of the religious character itself) as regards the *means* also of impressing on her children that character which she is bound to produce, she retains the same superiority; and while other bodies are left more or less to their own judgment, and accordingly suffer form to degenerate into formalism, laws into legality, and customs into carnal fetters, *she*, in her legislative capacity, as in her other functions, is singularly inspired by that Holy Spirit, who dwells, by special privilege, within her.

How far such a contrast might exist in its degree between the Jewish and Christian Church, and so account, in part, for some of St. Paul's language, is not a question to be lightly decided; for at least, the Jewish system was a direct gift from God, and it

* De Bonis Operibus, lib. ii. cap. x.

is but a spurious zeal for the Gospel, which delights in disparaging remarks on a work of the same Author. And (whether or not there may be one or two texts in the New Testament which, at first sight, look a different way) it is plain, on the whole, that St. Paul speaks with great reverence and love of the Mosaic Law itself, his zeal being directed against the Judaisers of *his* day, and not against the Jewish dispensation : while even as regards them, it is most observable how very few passages have even the very slightest *primâ facie* appearance of contrasting Judaism with Christianity, on the score of the latter affording release from a ritual and ceremonial system. That there are difficulties in St. Paul's writings, no Christian now-a-days need fear to acknowledge, when St. Peter has expressly affirmed it ; still, it may be well to attempt a short account of what we conceive to be his general scope, in his comparison of the two covenants, not so much as being necessary in answer to objections (for this we really think in fairness it is not) as being likely to result in eliciting positive truth, of important bearing on our present subject. We start, then, with the following quotation :—

“ The eternal unchangeable Law of God is the revelation of His will, the standard of perfection, and the mould and fashion to which all creatures must conform, as they would be happy. His Law is the image of Himself, it is the word of life and truth, commanding that of which He is the perfect pattern. His Law is the declaration of His infinite and glorious attributes, and thereby becomes the rule by which all beings imitate, approach and resemble Him. And when He created them, He provided that it should be to them what it ought to be. He formed them upon the pattern of the law ; He moulded them into symmetry by means of it. He put His spirit within man and set up the Law in his heart, so that what He is in His infinite nature, such was man, such was Adam, in a finite nature, perfect after his kind.

“ It was far otherwise with him when he had fallen : he then forfeited the presence of the Holy Spirit ; he no longer fulfilled the Law. And in this state he has remained, viewed in himself, ever since ; knowing the Law, but not doing it ; admiring, not loving ; assenting, not following ; with the Law not within him, but before him ; not any longer in the heart, but departing from him and moving away and taking up its place, as it were, over against him, and confronting him as an enemy, accuser and avenger.”*

These are the two great truths of natural religion ; the perfection of God's Law and our own miserable sinfulness : and to keep alive throughout one nation at least these truths in all their native freshness and distinctness, to preserve man's conscience from becoming hardened and his perception of religious truth clouded over the whole world, was one especial cause, St. Paul seems to say, of the Jewish economy. This was the one great

* Newman's Parochial Sermons, vol. v. Ser. xi.

scope of their whole system of laws, ceremonies, civil and religious polity. First, as to the stern inflexible character of God's Law in itself, its intolerance of even so much as infirmities, its disallowance of the very name *venial* transgressions, observe such passages as the following: "As many as are of the works of the Law are under the curse; for it is written, Cursed is every one that continueth not in all things which are written in the book of the Law to do them;" "Moses describeth the righteousness which is of the Law, that the man which doeth these things shall live by them;" "The Law is not of faith, but the man that doeth them shall live in them."* Not that the Law of Moses was simply God's eternal Law—

"Not that any number of commandments, uttered in man's language and written upon tables, could be commensurate with what is of an infinite and of a spiritual nature; not that a code of precepts, addressed to one portion of a fallen race, in one country, and in one particular state of moral and social existence, could rise to the majesty and beauty of what is perfect; but that the Law of Moses represented the Law of God in its place and age, was the fullest revelation of it and nearest approximation to it then vouchsafed, and was that Law as far as it went. It was the light of God shining in a gross medium in order that it might be comprehended."

Again, "it was impossible for the blood of bulls and goats to take away sin," or that the Jews could suppose it to do so, and yet "almost all things are by the law purged with blood;" as though to fix upon their whole nature, their conscience, reason, imagination, this habitual impression that they needed an atonement and yet had received none.† What then would be the effect of this whole system on those who trusted themselves to it most confidently, and followed their higher and nobler instincts the most conscientiously? What a meagre, cold, strange, unspiritual view to imagine that in their case its painful and burdensome character consisted in the circumstance, that its ceremonial was so complicated as to weary and exhaust their patience! No! it burdened them; not because its ceremonial was unmeaning, but because it was, alas! only too significant; because it branded more deeply into their consciences, as though with red hot iron, their one great misery, the absence of inward righteousness. And though the Gospel gifts were doubtless anticipated in the case of this or that great Saint, whose obedience to the law caused him to look only the more earnestly *away* from the law for his justification; and though he would obey the law in all strictness, as feeling that he but followed God's will when he did so, and that to trans-

* Gal. iv. 10; Rom. x. 5; Gal. iii. 12.

† The line of remark which immediately follows is due to an unpublished authority.

gress it would be to forfeit grace; still his interest, his affections, his happy associations would be centred in a far different direction, even in Him, the fruits of Whose redemption it had already been given him to anticipate, and in the future coming in of grace and truth. *He* derived most faithfully the lesson intended by the Mosaic system, who was the most wearied and dissatisfied with that system. And now let us suppose the Gospel proclaimed throughout the world; what temper of mind would those indicate who, although professing to accept it, still retained a craving and hankering for the "weak and beggarly elements from which Christ had set them free?" who having access to that "bread which is the communication of the Body of Christ," and that "cup of blessing which is the communication of His Blood," thought scorn of those privileges "which angels" might "desire to look into," unless they could superadd the fruitless and effete observance of Jewish "sabbaths, days, months and years?" They would show this, that that very Jewish law on which they faithlessly doted had been radically misunderstood by them from the very first; that they had looked to it, in part at least, for justification; and had placed a trust in it, which all its ordinances, from beginning to end, were specially designed to repel. The Law preached God's severe Law, and man's perverse sinfulness; the faith of the spiritual then was perforce fixed on some other object; principally on the Saviour to come, who should pour righteousness into their hearts, who should deliver them from the bondage of mortal sin (of all such sin, namely, as strictly implies the will's *rebellion* against God), and, as regards all other sin whatever, both assure their pardon and give them the means of gradual victory. And though doubtless there is much of St. Paul's language which we cannot thoroughly understand, without fuller information than we possess on all the peculiar circumstances of the case, still even to our present knowledge the procedure of the Judaisers does seem to argue a besotted formalism and carnal-mindedness, which, when placed in contrast with the ineffable gifts and mercies, now first freely poured forth, and, as it were, courting their acceptance, must necessarily have excited a deep and burning indignation in the breast of that great Apostle, who had first proclaimed to them those mercies and then imparted them.

Whatever then may have been the peculiar circumstances of the Judaising Christians, whom St. Paul addressed, the groundwork of their character would at all events be the absence of that spiritual-mindedness, which results from a lively faith and from active and watchful obedience. Nor let it be supposed that there is no scope for a similar character under our present circumstances, or that Christian ordinances may not foster it as well as

Jewish, or that St. Paul's admonitions are but of local and temporary interest. Whatever may have been the peculiar symptoms in his day, the general disease is common at all times; though as we see it among ourselves, when co-existent with worldly prosperity and the absence of all deep feeling, it is rather complimented with the name "amiable," or, as the possessor grows older, "venerable," than thought worthy of St. Paul's strain of impassioned rebuke. Persons who come regularly to Church with the complacency arising from a keen perception that they are doing their duty, or are setting a good example, with no awful sense of the sacredness of the place and the unspeakable importance of those offices of prayer and praise in which they are supposed to take part; nay, who even approach the *φρικερὰ θυσία* with no emotion of burning shame at their own unworthiness and deep gratitude for God's transcendent mercies, or again, with no sense that such *ought* to be their feeling;* among such as these, we may well fear, are many who would have gone through all the minutiae of the Jewish ceremonial with similar feelings of perfect contentment and self-gratulation, would have felt little need of a Redeemer or a Sanctifier, and if, by some accident, they had even advanced so far as to join the Church, would have shrunk from the glowing earnestness and reality of her devotions, so full of self-renouncement, so irresistibly carrying the soul onwards to the thought of God; and would have desired to appease the cravings of their conscience, degraded by the low formalism which possesses them, by some such routine of external and "self-justifying" forms, as would be presented to *their* conception by the old ritual as then administered.

Nor can the most perfect Church system, we fully confess it, wholly prevent the intrusion of such self-seekers. She may surround her ordinances with every circumstance that shall impress on ordinary beholders their exceeding dignity; she may so dispose the accessories of her worship, that no admixture may be found of the light and trifling, nothing whose natural tendency will not be to draw the soul heavenwards; but when she has done this she has done all. The acceptance or the rejection of heavenly blessings depends in the last resort on the individual; and if his thoughts are incurably fixed on earth, he may receive a mere external and sensible pleasure from the outward form, where others drink gladly of the inward spirit. And what is true of ceremonies is also true of Church discipline. That stated forms and times of prayer and an appointed course of self-denial are essential to the edification of the Church, we must here be content to assume.

* We speak of course only of persons who profess to *believe* the existence in the Eucharist of all which the Catholic Church from the first *has* believed to be in it.

But it cannot be denied that those who have no deep and stable principles, no active desire of holiness or acute sense of sin, may debase these also in their degree to unpractical and lifeless forms, may pervert them into occasions of spiritual pride and self-complacency. And if this be turned into an argument against these usages themselves, let it be remembered that both these evils will exist, and in far more rank luxuriance too, where there are no such ordinances fixed by authority; a truth, which has been so often of late in various ways enforced and recommended, that we need not insist further on it in this place.

But in truth this Judaising spirit extends even further among us at the present day; it has invaded, we fear, the domain not of worship only and of practice, but of faith also. Next to that function of the Church whereby she dispenses grace, there is none more full of interest to the heavenly-minded believer, than that whereby she develops truth; and this office, as the former, she performs, as she ever must perform, through the medium of an external framework, constituted to that end. Now, incredible as it might have appeared, we fear it is only too certain, that many on all sides of us are even enthusiastic in their zeal for this frame-work, and yet indifferent and regardless of that precious treasure, for whose preservation the frame-work was appointed. To idolize canons and synods, cannot, we think, be considered even a high kind of idolatry; yet is it an uncommon one? How many there are who are great on the subject of diocesan episcopacy; most learned in the names of all the councils which ever sat and all the heretics who ever lived; most ready in debate on the difference between councils truly ecumenical and not truly so, on the distinction between the first and second council of Nicæa, or the council of Chalcedon and that of Trent! and yet how few seem to display any deep and engrossing interest in the study and appreciation of that great marvel in the Church's History, that most wonderful scheme of doctrine, which Popes or Councils have gradually built up! We sometimes hear language even from respected persons, which sounds as though they considered there were no *intrinsic* difference between true and false doctrine, no more consistency, no more stability, no more real satisfaction to the spiritual mind, in one than in the other; as though it were a mere matter of external evidence and (if we may so express ourselves) ecclesiastical etiquette.

To include such a writer as M. De Maistre in such a category would of course be the most cruel injustice; yet he confesses of himself that his judgments are perhaps occasionally "*par trop laïques*," and in one of his works he has used language on the doctrine of the Incarnation, which will precisely illustrate our meaning;

though we are persuaded he would at once have retracted it, had the real and most serious nature of the statements in question been fairly brought before him.* But if so pious, so reverential, so Catholic-minded a writer could even accidentally fall into such a mode of speech, much less need we be surprised at it under circumstances like our own, when Catholic truth is but beginning slowly to revive after its long and melancholy slumber. Sometimes indeed it extends further, as found within the English Church; and where real and serious difference in doctrine is acknowledged, expressions are used which seem to attach less importance to such difference than to some formal irregularity. It is sometimes implied, for instance, that the mass of Roman Catholics are, *by the necessary result of their religion*, practically idolaters, and yet that it is forbidden to English Churchmen to attempt making converts among them, because they are governed by bishops. Or, vice versâ, when Roman Catholics have considered our state in England to be so deplorable as until very lately they *have* thought it, and have displayed great zeal in proselytising, objection is made to their proceedings, *not* because they are *mistaken* in thinking us so deeply plunged in error (which would be a most intelligible ground), but because they are “setting up altar against altar.” Or a writer like Neander is censured mainly on the ground of his “defective views on Church government.” Or “Evangelicals” are censured, not because they cleave to the soul-destroying heresy of Luther on the subject of justification, but because they obey the rubric less accurately than others: and this, not merely as the most tangible accusation, but as though it were really the “head and front of their offending.” Or again persons who by no means doubt Mr. Palmer’s general account of the Lutheran body, object to the project of the Jerusalem bishopric, not mainly in that we should betray our trust by entering into amicable relations with such a body, but in that we should disturb the mutual relation of bishops and interfere irregularly with the province of some Greek prelate. Such views of the character and maxims of the Christian Church expose her, without power of reply, to the charge of blind and senseless formalism, and, more perhaps than any other single tenet, indispose serious minds to the reception of Catholic truth. That they are gradually giving place indeed to a more healthy and Christian tone,

* “Qu’il se presente une de ces questions de métaphysique divine, qu’il faille absolument porter à la décision du tribunal suprême; *notre intérêt n’est point qu’elle soit décidée de telle ou telle manière, mais qu’elle le soit sans retard et sans appel* . . . Supposons qu’on demande de nos jours, dans l’Eglise, s’il y a une ou deux natures, une ou deux personnes dans l’Homme-Dieu . . . où est donc le despotisme qui dit oui ou non sur ces questions?”—*Du Pape*, vol. i. pp. 192, 193. The yoke of a Church, which should give the *wrong* answer to such questions, would be a most intolerable despotism.

we gladly believe; and great are the benefits we anticipate from so happy a consummation. But indeed were it only for the sake of self-preservation, such a change is very essential. We may depend upon it, that the period is not very far distant of an argumentative collision, which will scatter to the four winds our technical distinctions and divisions, our elaborate structure of proofs and formulæ, unless we shall have endued them with life and reality as they exist in our minds, unless our creed shall have been rooted in our affections, our faith informed by love.

These last observations lead us naturally to consider a still more general objection not unfrequently brought against believers in the "Holy Catholic Church." The idea itself (and not merely its abuse) of a great visible body, propagated and bound together by outward forms, resembling earthly kingdoms in many important respects, with distinction of ranks and other similar institutions; all this is thought by many to unspiritualize Christianity, as corrupting its pure and heavenly character by so large an admixture of a gross and earthly element. The answer to this is to be found in the very same consideration, on which we have already so often insisted. If under the Gospel religious truth be learnt by intuition, and religious habits acquired without discipline; if the Christian's affections spring (full formed as it were) readily to God, before they have been elicited by earthly objects; if the reception of divine knowledge be independent of previous culture, and produce moreover by its own force a holy life, without effort and without external help; then indeed is such an institution as the Church an impertinent intrusion between the soul and its natural Object of regard. But if the very reverse of this is the case, if early habits of devotion and self-denial are of the utmost importance to our progress in virtue, is it "unspiritual" that there shall be a body to make laws which may enforce such habits? if the maxims and institutions under which we first find ourselves placed, the recognized doctrines on religious and moral subjects, are unspeakably influential throughout our future life for good or evil, is it a low view of the Gospel tidings to consider as part of them the foundation of a spiritual power, which (by authoritatively declaring religious and moral truth, and generating such habits and modes of thought as may give help towards its fit appreciation,) shall render them influential to good *rather* than evil? If ordinary Christians cannot, if they would, occupy their mind with thoughts exclusively and transcendently spiritual, and ought not if they could, because of the important duties towards their brethren and the world which it is incumbent on them to perform,

is it a slight privilege, should a society have been set up which may enable them to act directly *upon* the world by immediate *concert* with their brethren? Surely, surely, an invisible Church is but a sorry antagonist to so very visible a world! And so experience has ever determined. When the true idea has been (we will not say denied, but) kept in the back ground, what has ever been the result? Have Christians betaken themselves undividedly to the practice of devotional duties and contemplation of heavenly truths? How could their conscience allow them to do so? if any thing is certain, this is certain, that Christians are not sent here for themselves alone. No! but this has followed, that Christian politics having receded, the world's politics have supplied their place; a spurious sacredness has been attached to particular forms of political government; and the spread of God's Eternal Truth has been embarrassed, by entangling it with dogmatic decrees on the relative merits of monarchy and democracy, nay, of close boroughs and the ballot.* This is the really unholy alliance between religion and politics; against this it does most certainly behove every one to protest, whatever his own political opinions, who is jealous for the undivided supremacy of spiritual truth. And this alliance, in one shape or other, will invariably be found, wherever the polity, ordinances, visible power of Christ's One Undivided Church, extending through all lands, are either not recognized or not obeyed.

And, on the other hand, let us suppose the case of a serious and humble believer, who has been deeply impressed with the duty of taking some active part in the business of the world, but who has become conscious, by sad experience, how much of evil is *radically* involved in every phase of worldly politics, in every party, in every principle; how difficult it is for a sensitive conscience so to accommodate itself as to take part in *any* combined

* It can hardly be affirmed that governments have generally performed their part in the compromise, and themselves performed the Church's office, when they have prevented her from performing it herself. Clergymen become more political (in the bad sense), would it could be said that statesmen become more religious! Hear Sir James Graham, no friendly authority whether to Catholic doctrine or Church independence, on the result in England of entrusting the powers of the Church to prime ministers and parliaments. "I cannot but bear in mind that while all the other governments of Europe . . . have directed their earnest, their unceasing attention to the moral training and religious education of their people, England alone, *Protestant*, Christian (is the latter word used ironically?) England has neglected that training, that education, which so intimately concerns, not only their political, but their eternal welfare. *It may safely be asserted that this most important subject has been neglected in this country to a greater degree than in any other civilized nation.*"—Speech on Lord Ashley's motion.

It seems unfair to allude to the natural connection between Protestantism and neglect of the poor, without specially mentioning so distinguished an exception as Lord Ashley; widely as we differ from him both in his views of religion and (in many instances) his practical proposals.

movement, and yet how powerless are all individual efforts; and again how much of good there is on any side which he may oppose, as well as of evil on whatever side he may support. Then let the conception be brought home to him, of a Society which, when rightly developed, attracts towards its own cause whatever exists of good, and repels whatever exists of evil; which acknowledges no doctrines or principles as bonds of union, which have not God's stamp on them as infallibly true; whose cause is injured by nothing so much as by one act or thought of sin in its supporters, nor helped by aught so much as by the secret prayers and intercessions of the most holy souls; which affords scope in its service for the highest and keenest intellect, as well as for the most acute and sagacious practical judgment, and hallows in using them; yet always reserves a far higher place of honour and dignity to simple-minded love and obedience; which acts powerfully upon the world, and tends ever to encroach on the world, and yet rejects all appeals to an arm of flesh; lastly, which gives their legitimate centre to those feelings of patriotism, which can never be rooted from the human mind and help indeed to lead it forward towards the disinterested love of God, and which yet cannot find their full repose in earthly kingdoms and in human objects, without imminent danger to the purity of our moral perception and strictness of our moral walk. Will it be his natural impulse, on becoming aware of these pretensions, to prate about "secularity" and "resemblance to earthly powers?" We think not.

If heavenly truths and blessings are to be imparted to souls still in the flesh, the idea of a non-visible Church seems hardly less than a contradiction in terms. To see this more clearly, let us consider in order some of her principal duties. A certain definite moral character is the only adequate recipient for certain truths; a certain peculiar course of education and discipline is the only ordinary means of forming such a character; the Church then, so far as she fails not or is not thwarted in her duty, must define and sanction the said education and discipline. The good are bound by the most sacred obligations to carry on a combined and unrelenting warfare against wickedness, yes, and against wicked men considered as such; yet in all human systems good and bad are mixed on both sides in inextricable confusion, and some rallying point for the one would be the most anxious desire of earnest and religious men: the Church was destined to be that rallying point. Again, each succeeding age has its own intellectual development, and theology, "*scientiarum omnium domina et magistra*," is most deeply concerned in such development. New modes of philosophy, deeper views of history, fresh discoveries

and a higher criticism in philology, all should offer their choicest treasures at the feet of Revelation; and yet, when left in the hands of heretics and unbelievers, they fail of doing so. Rather, whether from inadequate premises, or faulty inferences, or at least (which will quite certainly be found in such persons) deficiency in the true philosophical temper, they will frequently appear to issue in conclusions at variance with revealed doctrine, and will foster, consciously or not, in the minds of the intellectual world the monstrous notion, that increase of worldly knowledge tends to diminish rather than enlarge the sphere of heavenly truth. Systems will be formed, most dazzling and imposing from the depth, brilliancy, and varied ability of their devisers, which will strike with dismay the humble and gentle believer, which will deal rudely with his most sacred associations, and sport with his deepest and most certain convictions. And the result must be that such persons will be led by their very virtues to (what we must call in itself) a narrow-minded and morbid dread of the spread of knowledge, a flurried and excited denunciation of the use of God's gifts of reason and intellectual power; that is, in other words, holiness and mental cultivation must be brought into a state of hopeless and ever increasing opposition; unless there be some visible tabernacle of the truth, towards which the alarmed and disquieted soul may turn for peace and light to guide him through the entanglement. But, thanks be to God, such a tabernacle does exist; even when her glory is most obscured, and when such accidental and superabundant gifts as are not absolutely necessary to her essence are most closely curtailed, the Church is still in a sufficient measure the pillar and ground of the truth. But in her high and palmy state, she displays an antagonist literature and philosophy of her own; and for such schools of thought as are without her pale, she calmly and soberly surveys them; absorbing from them into herself such high and important principles as they may have introduced; so disentangling them from error and uniting them with other truths, as to lead them forward to more legitimate inferences; and thus using them, to display the treasure committed to her charge in new and ever-varying lights, and to increase it by new acquisitions and results.

That the Church's powers *are* of this nature we are not here concerned to prove; it suffices to our purpose that such a view of them be acknowledged (as who will deny it?) to be the more attractive to the conscience of each individual, in proportion as he shall be more abstracted from earthly desires, and more devoted to the world unseen. This conception of the Church's office, then, is certainly no "unspiritual" one; and now let us see what comes of it. If the Church is to decree laws, unite good men,

attack the world, and protect truth, she must have a definite substantive position in this outward course of things; she must have a "local habitation and a name;" she must be a visible body, "a city set upon a hill," a light shining through the whole earth. She must partake of that double character we have already mentioned as characterizing the Christian dispensation here below; for she possesses heavenly treasures, but "in earthly vessels." And whereas those who are to assist in carrying out her varied and wonderful organization, are but frail and fallible men, she must have very much in the way of laws, usages, etiquettes, and the like, in which she will strikingly resemble earthly powers; while she will have other characteristic marks which will no less strikingly distinguish her from them.* A spiritual body, acting on earth, must have one side earthly, as well as one side spiritual.

We just now incidentally alluded to the circumstance, that the Church's system alone assigns its rightful place to intellect and to practical ability: she uses them, hallows them in using, and yet assigns to them a place far lower than the highest. She hallows them in two ways; in employing them for holy objects, and in reconciling them with inward sanctity. To say that these qualities in themselves *tend* to the disparagement of the inward life, is altogether consistent with the most perfect acknowledgment that they are from God, and that those possessed of them are bound, in ordinary cases, to take pains in their cultivation;† it is but to say that *their* lot is more blessed whose endowments call them to a life more directly spiritual. The greater honour, then, to those who unite these dangerous gifts with high spiritual attainments: and this is a peculiar triumph of the Catholic Church. It is difficult to prove a negative; but under what other system are not these qualities universally considered almost incompatible with a deeply devotional temper? And yet a whole catena of Christians, who have *shown* them to be compatible, has existed within the Church's pale.‡ Of the one class, the pattern specimen may be

* For an account of some of the most important of these distinctions, see *British Critic* for April, 1842, p. 261—263.

† And there is, beyond question, a real and high delight, e. g. in intellectual acquisition, quite apart from pride, or self-complacency, or any rebellion against God, which we cannot doubt, like other glimpses of high delight which are vouchsafed to us, to be faint shadows of some great blessing reserved for faithful and self-denying Christians hereafter.

‡ The following is a specimen of the zeal with which the Church has ever warned her children of the peculiar dangers attending the active and practical life:—"St. Bernard, writing to Pope Eugenius on this subject, says, 'I fear, Eugenius, lest the multitude of affairs, *prayer and meditation being intermitted*, should bring thee to a hard heart, which does not dread, because it does not know itself.' This should be borne in mind, especially by priests, not only by those who lay aside meditation to devote themselves to worldly affairs, but by those who neglect it to attend to spiritual works for the good of others, as to hear confessions, preach, or write. Applicable to this,

considered St. Thomas Aquinas; of the other, perhaps, St. Gregory VII. None can read with ordinary candour Mr. Bowden's life of the latter, without recognising his earnest and lofty feelings of devotion: of the former we can hardly trust ourselves to speak. Consider a thinker gifted with that profound learning, with that extraordinary and gigantic intellect, which have made him, as it were, the great prophet of the Church in all succeeding ages; who died in his forty-eighth year, having *written* in that short life a series of wonderful works, which few indeed now-a-days, by that age, would be able to have so much as *read*; and then think of him "preaching on Good Friday on the love of God for men, and their ingratitude to Him," until "his whole auditory melted into tears to such a degree, that he was obliged to stop several times that they might recover themselves;" consider this, and marvel at the grace of God which has worked such wonders for His Church.*

And for what great purpose has the Church always employed these two classes of character? For this; to guard in peace and tranquillity from the world without, (the one from its rude violence, the other from its restless questionings; the one by the barrier of spiritual power and the exercise of political wisdom, the other by that of well-digested, subtle, and deep statements of doctrine), the weak and uneducated poor of Christ; or, again, the pure-minded and contemplative few, whom their very protectors (if we may venture to use such language of a Saint so eminent as St. Thomas) feel to be called to a higher and more heavenly lot than themselves. It is, as it were, St. Peter and St. Paul uniting to defend St. John. One necessary result of this has been (and it has been our reason for drawing attention to it) an additional prejudice against the "spirituality" of the Church. It is continually forgotten, that those who in ordinary times came forward to defend the Church by their political or dialectical skill, the Bishops and the Doctors (unblemished in life as they almost invariably have been) are far from presenting a fair image of the sanctity that is

also, is what St. Teresa wrote to the Bishop of Osma, who, while he attended with great zeal to the salvation of his flock, paid little attention to meditation, from time to time relinquishing it. Hence the Saint, having had a particular light, and probably even a revelation of such neglect on the part of the prelate, although he was her director, in order to promote his amendment did not hesitate to admonish him of it, writing to him as follows:—"Representing to our Lord the graces which He had conferred on your holiness, in making you humble, charitable, and zealous, I besought Him to give you an increase of all virtues; when He made known to me that your holiness was wanting in that which is principally necessary (and if the foundation be wanting, the work cannot stand, but must fall), namely, meditation; not persevering in it with fortitude, and thus interrupting that union which is the unction of the Holy Spirit, from the want of which arises all that dryness and disunion which the soul experiences."—Spirit of St. Alphonsus Liguori, p. 67—70.

* Butler's Life, for March 7.

within the Church, and is its real life. The latter lies ever hidden and retired from the public gaze, supporting the common weal by its prayers and watchings, not by its acts or writings; for even those holy men, who *are* prominent in word and deed, display only one, and that the lower, phase of their character: the heavenly side they turn, as it were, towards the centre of the Church; with the earthly side they confront the powers of earth. This whole contrast, as far as regards the *practical* men, the contrast between the contemplative and material functions of the Church, has been so beautifully expressed by a contemporary French writer, that we are sure our readers will forgive us the length of the quotation.—

“The Church militant is both body and soul; she is bodily so far as she unites or labours to unite all men into one national body, under the government of one head; she is spiritual so far as she labours, under the direction and authority of the same head, to unite souls inwardly, to perfect saints. Hence the different operations of which the Apostle speaks; whereof one class relate to the formation and preservation of the *outward* unity, the other to the enlivening and hallowing of the *inward*. St. Augustine saw the whole bearing of this distinction, and marks it clearly in these words—‘The Church knows two different kinds of life taught and committed to her from above: the one in faith, the other in sight; the one in the time of our pilgrimage, the other in the eternity of our final abode; the one in labour, the other in rest; the one in the journey, the other in the home; the one in the work of exertion, the other in the reward of contemplation. The one is good, but as yet unhappy; the other is better and blessed. The one is signified by the Apostle Peter, the other by John.’ It would be an interesting task to show by the actual development of the Church the historical truth of this assertion; to classify under these respective heads the words and acts, the various missions of apostolical men; to trace in its path athwart the natural progress of society the simultaneous advance of the inward spirit and of the body of the Church; to study, so far as that is possible, the action and reaction, the reciprocal influence of these two sides, and the close and necessary connection which unites them. On one side we should see the external growth and successive changes of the Church in time and space; on the other we should discover her ceaseless communications with the eternal world, from whence she derives the life which she transmits to her whole body by her different organs; her relations with Heaven, from whence she receives those heavenly seeds which she transplants to earth; and those lofty inspirations, those fertile conceptions, that divine fire, which from time to time enkindle and enlighten the world. On one side the external labour of life, religious and social activity, outward works of charity, of science, of civilization; on the other side, her ascetic life, which tends less to propagate itself throughout the mass of men than to labour at the perfecting of the few; inward, hidden life, which unfolds itself with anxious caution, and imparts itself according to their measure to souls able to receive and to understand it; life of those men of God, who scarcely touch the earth,

and yet leave on it deep traces, and communicate to it those mysterious impulses, those strange vibrations, which starting often from an unknown point of the globe send forth their sound to the utmost borders of the universe.

“It might perhaps be possible to seek and discover in the innermost depths of history those radiant centres from which light springs forth, and to point out the principles from which result, it may be at a distance of some centuries, certain great events whose initial causes remain unknown to us; then should we follow better the slow and stately advance of Providence, so different from *our* narrow views; we should understand better the origin and meaning of events, and church history would become more of a living reality than it appears in its ordinary shape. For if we neglect that phase of history, its spiritual side, what remains but a series of unconnected facts and recitals, which too often shock the ear of piety? It would be better to point out only in a general manner the quarrels and conflicts of human passions which we find everywhere, and to study more deeply the life of those holy souls who belong more truly to the heart of the Church; it is there that we shall find the deep spring of events and the secret origin of external phenomena and movements.

“Nothing is more easy to recognize, from the very foundation of Christianity, than these two elements of Christendom. The principle of Catholic unity is precisely expressed in Scripture, clearly hallowed by tradition. St. Peter is chosen to be the personification of that principle; he is proclaimed and acknowledged as the prince of the Apostles, the chief of the pastors and the flock, the head of the Body of the Church, the visible organ of the power of Jesus Christ. And from that time his sovereign function, with its unchangeable and infallible character, might have been expected to pass onwards, as in fact it has from age to age, to the end of the world. But within the bosom of the living hierarchy, the heart, the soul, has had in a measure its type and representative in the Church. This mystery, although less explicitly proclaimed in Scripture, is still, according to St. Augustine, positively indicated. St. Peter, it is true, receives his high mission from the mouth of his Divine Master; but St. John, the disciple of love, seems to receive his on the very heart of Jesus Christ. Alone, of all the Apostles, he rests on the breast of the Saviour, and there he derives, so to speak, the innermost life from that sacred heart, that he may create within himself a lively image of that heart, and represent it substantially within the Church. The calling of St. Peter and St. Paul is a plain fact, and all the world knows well the wonders in which their authority and pre-eminence were displayed. But the life of St. John is concealed in a sacred gloom: the Apostle of love is given to Mary, not as a disciple to his master, not as a son to his father, but as a child to its mother; for this end, that he may dwell with her in mystery, that he may propagate onwards in the Church the ascetic spirit, the child-like spirit of the Gospel, the hidden inner life, the life of the heart of Jesus Christ. There have been ever those who continued the life of St. Mary and St. John, as there have been ever successors to St. Peter and St. Paul: the latter are known, and must ever be so; the former are less known, but not the less really existent. ‘If I will that he tarry till I come, what is that to thee?’ . . .

"How much is the world indebted to these souls! Some virgin, simple and pure, living for God in secrecy and silence, not known of men, or despised by them, saves, often unknown to herself, unknown to all, the city, the province, the region where she dwells. How does she save them? By her love, her sufferings, her prayer. She drinks in from the springs of eternity that life which she diffuses as a dew; by the divine power which penetrates her she neutralizes the effect of evil; she presents to the Sun of Righteousness a living focus, to receive His rays; and thus she preserves that sacred bond, even religion, which unites earth with Heaven. . . . Good is more contagious than evil, because it has more substantive power, more expansive force. It imparts itself by means of sympathy throughout the members of the same body; and so only that it can obtain hold of one of them, it gains ground little by little, and extends far and wide its victorious influence. Thus it is, that holy souls by their sufferings obtain pardon for the crimes of many others, and that the tears of the righteous cleanse the earth of that blood which cries for vengeance.

"At times however, and especially in the gloomy days of the Church, some of these mighty souls have been called to fulfil a more special mission and to exert in a more direct and immediate manner their decisive influence over the destinies of the world. Then coming down from the mountain, with Jesus Christ, they walk over the stormy sea and appear in the middle of the night before the ship of Peter, as shining visions which cast a brilliancy hitherto unknown over the horizon; they command the waves and the tempest; the storm ceases and calmness reappears in heaven and in earth. The direct intervention of these men, whose place is in the centre of the Church, announces always some great and extraordinary event; strange phenomena at such times are displaying themselves in the world, like those which may be observed in certain diseases, which have no name given them; when *the organs are paralyzed and the immediate action of the mind replaces in some way all the dormant functions.*

"In the primitive age of Christianity the mysterious centre of evangelical life is at Jerusalem, from thence the glad tidings of salvation start forth. Peter carries it with him to Rome and founds the visible centre of Catholicism in the capital of the world. . . . Rome is in relation to Jerusalem what the head is to the heart. Rome has the primacy, jurisdiction, supreme authority; she rules all the Churches, for she is the seat of St. Peter's successor, the shepherd of the shepherds, the father of all the faithful; she holds the deposit of tradition; she is the infallible interpreter of doctrine. Jerusalem is the mother Church, without show and grand appearance; she forms the mystical cord which unites the visible to the invisible, time to eternity. It is at Jerusalem that is formed, at the beginning of Christianity, that nucleus of contemplative souls, who afterwards shall perpetuate themselves in the deserts, the cloisters, the monastic orders. Thus St. Paul, the great Apostle of the Gentiles, at the same time that he subjects all the Churches to the authority of St. Peter, binds them together and unites them in the bonds of charity with the Church at Jerusalem. . . . It is to the poor of Jerusalem that he excited the attention

of all the Churches of the earth : not that there are no poor elsewhere ; not, as he says himself, that the temporal help is the principal object of that bounty ; but an external expression was wanted for the relations of brotherly love, a visible witness of communion and communication between the various members and the original centre of the body.”*

In the course of this passage expression is given to another principle, which bears closely on the present subject. While the Church has ever, from the very necessity of her position, abounded in rules and forms, she has never so closely and pertinaciously adhered to them, as to incur the charge of formalism and pedantry ; the very contrary. M. Ratisbonne speaks of “ the organs being paralyzed,” and “ the immediate action of the mind replacing the dormant functions,” at the period of “ some great and extraordinary event :” but the real fact is, that such exceptions to fixed laws are occurring in one way or other at every period of the Church’s history ; there seems to be a consistent *rule* of irregularity. It is as though she possessed within herself an exuberance of life, which cannot help overflowing the appointed channels ; which cannot bear to wait for forms, when forms are not readily forthcoming ; nay even employs some temporary organ to thwart and overrule them, when to follow the Church’s forms would be a virtual contravention of the Church’s spirit. And the arbiter of such transgressions of order, the interpreter *pro re natâ* of the Church’s real mind, would seem to be the natural instinct of, or what may be called the common-sense view of circumstances taken by, the spiritual mind. Hence it is that mere formalists, of whatever persuasion, are so continually going wrong in action ; and again are so little worthy of trust as exponents of Church history. They are afraid to look facts in the face ; and suppress this, colour that, modify a third, explain away a fourth, all because there is no place for them on the confined surface of their own narrow theory. One or two instances of this irregularity, taken almost at random (for they abound) will explain better what we mean.

We need not look far for the first ; it will be found in the very history from which we made our former quotation. It appears that for a long time before the death of Pope Honorius, Peter Leonis, a rich and powerful cardinal, had canvassed successfully a great number of his brethren in the conclave, with whom his prodigious fortune gave him great influence. What we should call now-a-days (for similar states of politics are common to every age) the “ high ” party, or the “ right thinking ” party of the cardinals, those who could know of themselves that they really were on the side of the Church, and who were, as might be expected,

* Histoire de St. Bernard par l’Abbé Marie Théodore Ratisbonne. Deuxième Edition, p. 32—44.

the minority, dreading the result of this proceeding, the moment that Honorius was dead, and before his death was generally known, had a "hole and corner meeting," and elected Pope Innocent II. : their great *formal* advantage being, that the recognized *consecrator* of the pope, the Bishop of Ostia, was on their side. The other party was most naturally in the highest degree indignant, and proceeded to elect their own pope under the title of Anacletus. As far as we can judge, the appearance which would have been presented to contemporary Christians, would have been this; on Anacletus's side by far the most formal procedure, joined with the plain note in the other direction (of a moral not a formal or technical character), that he had disgraced himself by canvassing for so awful a post, as though it were a legitimate object of ambition, and that his principal supporters had disgraced themselves by listening and lending themselves to him. On Innocent's side a great irregularity of form, but strictness and holiness of life. The turning point, as regarded the ultimate issue, depended on the king of France's decision, as to which he would recognize; and he resolved to abide by the judgment of St. Bernard. "All agreed with one accord to refer the solution of this serious matter to the man, whose word was to the eyes of all the attestation of the divine will."* St. Bernard "examined with impartiality the titles of the two elections, *the quality of the electors, the merit of the elected*, and proclaimed Innocent II. as the true pope." And the result made it certain that this decision was correct; for the schism was finally ended, by the successor of Anacletus acknowledging Innocent II. and resigning all his claims and pretensions.

Another very interesting instance of a similar kind has been alluded to more than once of late, that of St. Meletius of Antioch. He lived and died out of communion with Rome; was summoned to the council of Constantinople instead of Paulinus, who was the bishop in connexion with the chair of St. Peter; was virtually canonized after his death; had his funeral sermon preached by St. Gregory Nyssen; nay was a link in the succession which finally prevailed in Antioch, for it was *his* successor and not Paulinus's who reunited the contending parties.† A remarkable fact truly on the Roman hypothesis, and one which demands

* M. Ratisbonne, vol. i. p. 262. Neander's account is substantially the same with M. Ratisbonne's, and the following observation of his is closely to our point. "The irregularity of Innocent's election was not likely to scandalize any one, for in those days it seldom happened that the canonical laws were strictly observed in the choice of a pope. The question then was one of fitness; and St. Bernard espoused the cause of Innocent, who was distinguished by his superior moral conduct, and his utter aversion to the spirit of intriguing ambition, of which Anacletus was accused."—pp. 78, 88.

† Fleury's Ecclesiastical History (Oxford translation), p. 153, note c.

the very careful consideration of those who write confident letters in newspapers, dealing largely in threats of eternal condemnation; and who boldly affirm that all, who are not in direct communion with the pope, are ipso facto, did they only know it, in a state of sin. But though not presenting the same difficulty in the way of English "high churchmen," it is as truly, though not as widely, inconsistent with formal rule, on the strictest Anglican principles. Certainly one of the ablest advocates of these principles (Mr. Palmer of Magdalene) represents as a necessary consequence from them, that those English Catholics, who are in communion with Rome, are in strictness beyond the covenant of grace, as being rather schismatics than Catholics; whereas there is not the faintest trace of any idea prevailing in any quarter at that time, of casting so strange an imputation on Paulinus and his followers.* And now that we have got for the moment on a subject of present interest, we will add one more observation. The circumstance (felt by many as a very peculiar difficulty in our present position), that so many are guided just now in their ecclesiastical course by the authority of revered individuals, rather than by established rules which they can state and defend, is no novelty in the history of the Church; but has frequently appeared in various forms during its course. The case of St. Bernard, just cited, is one striking instance of it.

This law in the Church's history will give us the means of solving a class of difficulties, which deserve, we think, more consideration than, so far as we are aware, has ever been given them. Mr. Froude has written what follows.

"We know nothing of God to teach us by what laws He dispenses or withholds spiritual privileges; and cannot without great presumption, say either that this method or that method of dispensing them is inconsistent with His attributes. The whole subject is a mystery to us: 'God will have mercy on whom He will have mercy.'—Nor is there any thing in the least degree more wonderful or unaccountable in God's admitting one man to the privileges of Christianity, and excluding another, because the rulers of the Church have decreed it should be so, than in His doing the same thing because one man happened to be born in England and another in China. Let it be as much a matter of chance whom the Church excommunicates, and whom it absolves, as it is a matter of chance who is born in England and who in China, and still it will be just as consistent with God's attributes to exclude excommuni-

* "In an assembly held at Antioch in 379, St. Meletius, addressing himself to Paulinus, made the following proposal. 'Since our sheep have but one religion and the same faith, let it be our business to unite them into one flock: let us drop all disputes for precedency, and agree to feed them together. I am ready to share the see with you, and let the survivor have the care of the whole flock.'"—*Butler's Life of St. Meletius*, Feb. 12.

cated persons, and admit absolved ones, as it is to exclude born Chinese, and admit born Englishmen."*

This argument applies with all its force to two classes of men. It applies to those who, although born in a Christian country, nay, even (if you will) baptised, still are placed in circumstances in which, from no fault whatever of their own, they can obtain no knowledge of Christian truth or Christian morals. In the latter alternative, the new nature they received in that holy Sacrament remains, doubtless, as it were, in germ, to be developed and matured (so only they be faithful to the light they *have*) in a future state of being. The argument applies, also, to those who, being possessed of all essential Christian privileges, still are at times disposed to murmur, that in what we may call *accidental* spiritual advantages, they are far less happily circumstanced, than others of whom they hear or read; or that, having once had such advantages, by unavoidable accident they have lost them. Again (which is more to our purpose), to those who make such inequality of external privileges an argument against the Catholic view of the sacramental character of external things. In comparing Catholics with each other, for instance, we find that some have much more seldom access to the holy Communion than others; or to a priest, that they may obtain absolution; or, again, to a less holy or less discerning priest, to a scantier and ruder ceremonial, to fewer holy objects; they live in a less Catholic atmosphere, both morally and intellectually; and so on with numberless other particulars. Now this various dispensation of spiritual blessings is so precisely analogous to that of temporal, that so far from being an objection to the Catholic scheme, the *absence* of it *would* be an objection. There is no difference which can be named in men's spiritual circumstances, resulting from the supposed truth of that sacramental and "mediatorial" system which has ever been part of the said scheme; no difference, we say, comparable in its seriousness and importance, to the difference under the natural course of things, which arises from such accidents as—who were our parents? what our country? what our opportunities of knowing good? and a multitude of others. The theory of these differences would have to contemplate a range of phenomena, of which we know so infinitely small a part, that the notion of framing to ourselves such a theory, and deriving from it objections to an alleged revelation, is inconceivably absurd and preposterous. At the same time this is revealed to us, and is amply sufficient, nay, far more than sufficient, for all practical purposes, viz. that Christians are placed under a peculiar providence; that they are one by one specially regarded by God, and placed by Him in those very

* Froude's Remains, part 2, vol. i. pp. 286, 287.

external circumstances which are most really conducive to their final salvation.

Perhaps nothing which Protestants witness among Catholics more impresses them with this difficulty, than the very great importance attached by the latter to the (apparently accidental) privilege of receiving the last rites of the Church before their death. Hear then what St. Alphonsus Liguori (who will hardly be accused of Protestant tendencies) says on this matter :

“ Finally, we should unite ourselves with the will of God as regards our death, both as to the time and manner in which God shall appoint its arrival. St. Gertrude one day ascending a hill lost her footing and fell into a valley. Her companions asked her, if *she was not afraid of dying without the sacraments?* To whom the Saint answered, ‘ I have a great desire to die with the sacraments, but I leave all to the will of God ; because *the best disposition for a good death, is to be willing to submit to whatever God shall appoint for us :* hence I desire whatever kind of death our Lord shall be pleased to send me.’ ”*

Again, the immediate object of Mr. Froude’s remarks does not in practice present any even apparent difficulty. The most prejudiced and hostile observer can impute to the Church, in no period of her history, any harshness, either in refusing to admit new members, or in excommunicating those already admitted. A far more plausible accusation would be, that she has at times carried her forbearance to a faulty excess, and that from worldly motives. Far be it, indeed, from us to insinuate such a charge ! We only say, that if persons think it decent and pious to allow themselves in criticism of the kind, they must perforce exercise their criticism on *that* side of the Church’s character. The case of a person unjustly excluded from Baptism, or unjustly excommunicated, we might almost venture to say, is one which has never even *appeared* to have existence.†

Still we have not yet performed an exhaustive division ; and there are other cases which demand our notice. Shall we say, *e.g.* that a person educated among Christians, believing in Christian doctrine, and living (let us suppose) a holy and mortified life, were external evidence to show, to his own complete surprise, that the Sacrament of Baptism had been never, or never validly, administered, shall we say that he has never been really regenerate ? Again, that such a person being a layman, were he cast on a desert island, without access to a priest, or being a priest without access to bread or wine, shall we say that he is cut off from the great

* Spirit of Saint Alphonsus Liguori, pp. 57, 58.

† Excommunication on grounds of *heresy* would of course be thought unjust by those who do not consider heresy a sin : but that belongs to a wholly different class of questions.

gift which the Eucharist conveys? Observe, it is no question about accessaries, or non-essentials; it is the very current of Christian life, which, on such a theory, would gradually cease to flow within him. Nor can the illustration, adduced by the revered writer whom we lately quoted, be said to throw any real light on this matter, which may indeed very probably have been altogether absent from his thoughts. There is no more difficulty in the fact that this man is born (so to speak) a Christian, and that an idolater, than in the fact that this animal is born a man and that a brute. But an alleged revelation, which should declare it no impeachment of God's justice that a man *at the age of thirty*, with all his faculties fully developed, shall, *with no fault of his*, be degraded to the nature of a brute, would be opposed by an extremely strong *à priori* presumption; and there would surely be a presumption altogether analogous in a case so very parallel. The difficulty is of a similar character in each of the two instances we have specified. A person with full consciousness of the Christian life energizing within him, is nevertheless the sport of considerations wholly external: in the one case, of external evidence showing him, so it would appear, that he *never had* Christian privileges; in the other, of external circumstances, ruling that he *shall* have them *no longer*. Nor will we attempt to disguise our deep conviction, that were this a true account of the case, the evidence for Catholicism would be exposed to a difficulty, we are far from saying insuperable, but very real, nay tremendous.

We have the less temptation indeed to disguise such conviction, because we are confident, as we mentioned above, that the general principle of the Church, to which we lately adverted, is a sufficient solution. The universal maxim in the early Church which allowed Baptism "in voto" to have an, as it were, anticipatory effect on those suddenly cut off, especially martyrs, is much to the purpose; a maxim which indeed remains in many kindred particulars throughout the Church to this day, and of which we may observe a trace in our own Prayer-book.* But in truth the first instance above mentioned is taken into consideration by no less high an authority than Bellarmine, whose remarks on it shall here follow.

"Either the boy brought up and educated among Christians, when he has grown up, will think that he has been baptized, or will know that he has not. If he shall believe that he has been, it will be probable that he has faith really infused by God. *For the approbation of a baptism which a person believes himself to have received and to have, is equivalent*

* Viz. in the Rubric, after the service for the "Communion of the Sick," beginning "But if a man." The spirit which may possibly have actuated the framers of this Rubric, and the sense in which they may have written it, are irrelevant considerations.

to the wish of baptism, and is able to lead him to eternal salvation. On which subject there exists a pontifical rescript, 'de presbyteris non baptizandis.' But if he knows that he has not been baptized, &c." *

Here we may observe that although, for whatever reason, he only speaks of the *individual's* faith being divine, as a *probable* opinion, he enunciates the general principle, for which we are contending, as certain and undoubted. Nor, after such a sanction, need we hesitate to express our confident persuasion, that in the cases, infinitely rare, of individuals being by stress of outward circumstances separated from the visible means of essential grace, the absence will be supplied by some extraordinary and uncovenanted provision for the emergency.

Of course to say that Christian grace may be received without the Church's ordinances in the very unusual cases where the latter cannot be obtained, is widely different from saying that it may be so received when they *can*. The sacerdotal office of the Church is indeed the foundation of all the rest. In what has been hitherto said, we have endeavoured to show the unspeakably important purposes, which the visible unity of the Church is so well calculated to subserve; but we have not yet alluded to the *means* which God has employed to *establish* that unity. He might have contented Himself with promulgating a formal rule, which should bind all to whose knowledge it might come; but He has adopted a more "spiritual" method. That power by which the Church attracts towards herself all that is highest and noblest upon earth, resides in the gift she dispenses by her Sacraments. By them, God not only "blesses her children within her, and maketh peace in her borders and filleth her with the flour of wheat," but offers also to those nurtured under other systems, that perfection of their nature, which, as their conscience becomes more lively and sensitive, they more ardently seek, and the absence of which (whether or not they know the cause) fills them with restlessness and disquietude. The Church attracts such minds by promising them this great inward gift, and retains them by imparting it. Here then is a singular distinction between her and other bodies. She alone, in order to preserve her unity and increase her dominion, can appeal exclusively to the highest instincts, the most spiritual desires. Protestant bodies must retain their members by the civil sword, or by the bribes of an establishment, or by motives of worldly expediency and convenience; and when these fail (as in some of the highest minds they are most likely to fail) nothing remains to prevent the ordinary process of

* "De gratiâ et libero arbitrio," lib. vi. cap. 3, "Reponsio ad sextam objectionem."

decay from having its course. Existing bodies dissolve and crumble away, while the particles which composed them reunite in some new shape, and under some new organization; and the world is startled and amazed by the continual appearance of the very same elements in fresh and ever-varying forms.

It may be objected to this representation, that the case is perfectly conceivable of God granting the power to impart sacramental grace, to some body which is beyond the formal limits of His kingdom. It may be argued, that as regards *doctrine* indeed that cannot be true outside the Church's pale which is false inside; but that as regards *grace*, it is no diminution of the great gifts stored up within her, should the very same, even in all their fulness, be vouchsafed, though not originally promised, to some other community without her. In such a case, so the objection would run, the account given above leaves no motive which could be addressed to members of such a body, in urging them to join the great Christian Community. We cannot answer this by denying the hypothesis: it is, we think, perfectly conceivable that God should so act, and that for some purpose (inscrutable or not as the case may be) His mercy even in all its fulness should overflow the precise bounds He has formally appointed. But we answer by denying (and surely every religious mind will unite with us in denying) that in such a case it *would* be a duty, or other than a sin, for individuals cognizant of the fact, to leave the body so singularly honoured and endowed. Whatever might be God's purpose in such a provisional dispensation, it would be very plain to one, looking out for indications of His will, that He *had* a purpose, and that the continuance of individuals in their original position might be a necessary condition to its fulfilment. And if this be granted, the alleged objection adds in fact even additional cogency and probability to our position.

Now if the Church have a sacerdotal office, she must necessarily have functionaries by whom to administer it; and this brings us to the last particular of our immediate subject, the question of the Christian priesthood. It is feared, we need hardly say, by many amongst us, that the acknowledgment of such an office within the Christian Church involves some disparagement to such all-important truths as these; that the whole community of Christians make up the Church; that all have the same *essential* privileges; that to all the same high law of God is proposed; that all have strength and motives sufficient to bear them onwards in a continually increasing approximation to its adequate fulfilment. These truths certainly cannot be estimated at too high a value; and where the fears we speak of are really genuine and unfeigned (as in many cases they certainly are), they deserve our most anxious sympathy and consideration. At the same time the general

aspect of Church history would certainly not give this impression; viz. of the priesthood having ever been considered by Catholics, as possessing means of *grace* peculiarly and exclusively its own. If persons hostile to Catholic doctrines were asked to name one single human being, above others, whom they would conceive Catholics to have unduly honoured, whom they would accuse the Church of elevating to a rank wholly separate from the mass of Christians, as though of a different nature from themselves, whom would they at once mention? Some pope, or bishop, or priest? Every one must anticipate the answer; St. Mary had no peculiar connection whatever with the sacerdotal office; St. John not St. Peter ministered to her during what remained of her pilgrimage here below. And in like manner, when we think of the whole choir of holy Virgins or Widows who are numbered among the Saints, is such a sentiment ever heard among Catholics, as that they were in a less favourable position for receiving grace, because they had no share in the priesthood? Again, speaking only of men, it is at first sight almost surprising how large a number of the Saints have been laymen; nor perhaps is one among their number at present honoured abroad with so high and peculiar distinction, as St. Joseph, husband of the Blessed Virgin, who died before the Christian priesthood began. And in fact those who know anything of modern Roman Catholic books of devotion, know very well that in them as in our own, the office of priest is habitually spoken of, rather as involving hindrances than helps in the way of salvation.

A result very similar arises from considering Catholic belief on sacramental ordinances. The two "Sacraments of the Gospel" are those which directly communicate Christ to the soul, and they are common to *all* Christians: so are Confirmation and Absolution, one of which gives increase of spiritual strength, and the other removes the barrier interposed by sin. On the other hand, the holy rite of Ordination does not primarily convey grace, but power; though, like matrimony or any other ordinance which the Church has blessed, those worthily receiving it receive no doubt incidentally grace also. Indeed let any one realize to himself the amount of belief entertained in the Church on the Mystery of Holy Communion, and he will feel that those who in common are so favoured, must be in all *essential* privileges the same.

Take another practical illustration. Suppose we have to do with an ordinary uneducated person, and desire to rear up and develope within him the full Christian character in all its parts. Shall we best serve our purpose by placing in his hands a Bible, and desiring him to draw thence his creed for himself, while we further enforce religious duties by earnest, but vague and general

exhortations ; or, on the other hand, by placing him within a system where he shall be surrounded by objects which appeal directly to his better feelings, which, by the sensible pleasure they afford, rescue him from that hard and dreary apathy shown by experience to be otherwise the ordinary condition of the poor, and which unconsciously impart to those feelings their right and religious direction? The answer to this depends on a part of our argument which we have already dispatched ; but let us carry on the same train of inquiry. Do we wish to lead him to the recognition of the miserable amount of his daily sins? will that be best accomplished by vague generalities, or by bringing him into the presence of a priest to rehearse and confess them? Do we wish to impress on his mind and conscience their intrinsic sinfulness, the shame and confusion with which they ought to cover him in the presence of God? shall we best succeed in our object by impressive and serious addresses, or by making a matter of experience with him the shame he *does* feel in confessing them to a fellow-being? Few of us can be without practical knowledge on the latter topic ; few but must have had personal experience, when some secret sin has got abroad, how incomparably deeper and more acute becomes our perception of its intrinsic loathsomeness and guilt.

From merely such a view as this of the priest's office, it will follow that as other professions have their peculiar studies, so some adequate scientific mastery of moral theology, and some considerable acquaintance with human nature, will be the necessary accomplishment of the priest in *his* professional character. In like manner, *dogmatic* theology, an accurate and habitual knowledge of the Church's formal statements of doctrine, as we have had occasion elsewhere to intimate, will be an essential part of his qualifications. It will be impossible for him otherwise to dispense religious truth to his flock as their spiritual necessities require it ; and he may thus most seriously injure the harmonious development of their inward life. So much as this, however, will perhaps hardly be questioned by Protestants ; or if questioned, questioned on quite different grounds. But we will go further than this. We will confidently maintain that those very attributes of the Christian priesthood, of which fear has been entertained, lest they lessen the earnestness with which we shall endeavour to impart the whole Christian character in all its fulness to the laity, may be shown, on the contrary, to give peculiar and invaluable assistance in forwarding that very endeavour. We will instance the practice of requiring from priests a far higher standard of holiness than can be *required* of the people, enforcing on them peculiar observances, a far greater abstinence than in others from ordinary and innocent social intercourse, the prac-

tice of celibacy,* some considerable amount of daily prayer, and the like; in one word, of using all the means in our power that the priesthood may be a body, peculiar, and removed from their fellows, representing that *outwardly* which it behoves *all* Christians to be *inwardly*. Now first of all it is so very plain, that if we are to entrust to a human being such serious functions as those specified in the earlier part of this article, we must require of him some considerable evidence of seriousness and devotion, that not a word more need be said about the matter. But speaking exclusively of the effect produced on the laity, if we wish to teach the flock what the Christian life in all its fulness ought to be, (considering of what kind are the intellects of ordinary men, and considering the maxim "*segniùs irritant animos,*" &c.) what description, ever so laboured, varied, and minute, could possibly teach them this with a thousandth part of the force and efficacy, with which this living and energising example would act upon their whole nature? Talk indeed of the visionary views and projects of "cloister-bred students!" Was ever a conception formed so utterly wild, fantastic and chimerical, as that, which, regarding the mass of Christians as they are found in ordinary life, can fancy it a boon to them, that there shall be no visible body "mediating" between themselves and God, no example which claims deference, no teaching which claims authority? Practical men are surely laughing in their sleeve, when they enlarge to the poor on the blessings of private judgment and of release from sacerdotal "tyranny."

Similar is the importance of the doctrine ever inculcated by the Church, that the priest is to be considered by his flock as standing to them in so many respects in the place of God. Considering the long and sacred chain of associations which would bind together, on the one hand, a flock of serious and humble Christians, and on the other him who, from their earliest years, has fed them with "bread from heaven," has instructed them in doctrine, directed their conscience, and imparted pardon for their sins, much might be said, in the first place, of the soothing and invigorating character of the scheme, which sanctions and hallows that feeling of deep affection, and allows them to regard its object

* There seems a vague idea generally prevailing that this important law originated with St. Gregory VII.; we therefore think we shall do a great service by inserting the following extract from a note belonging to the new translation of Fleury. "Earnestness and persecution seem at first to have superseded the use of canons, and all but readers and singers preserved continence. But no sooner had Constantine granted the Christians in Spain liberty of worship, A.D. 306, than we find a council at Eliberis requiring continence of all clerks '*positis in ministerio,*' and no sooner was universal toleration proclaimed, A.D. 312, than we find two councils at Neocasarea and Eneyra, both A.D. 314, enforcing the law of continence." See the whole note, Fleury, p. 182. Let it be remembered how strongly our own divines have ever inculcated deference to the early Church.

(which Protestantism could not allow) as the type and representative to them of the Invisible. But passing to a still more essential result; observe, how deeply implanted in the mind of men is the tendency to attach a solemn and mysterious sacredness to all that is above their own sphere. We may lessen this feeling, indeed, or destroy it; but only by implanting the contrary habits of pride and self-will. In proportion to the growth of the peculiarly Christian tempers, humility, gentleness, docility, is the depth and intensity of this universal tendency. Attracted by a rightful object, it is, as might have been supposed, of great and essential importance to the religious life; and such an object is supplied by the Christian priesthood, with all its mysterious claims and external sanctity. It is by means of this institution, that the child-like reverence, of which we speak, is directed to the idea of spiritual, not of temporal, greatness; to the heroism of endurance, not of cruelty and bloodshed; to the majesty of heavenly, not of earthly, law; to the visible image of strictness and self-denial, not of wealth and costliness. Deprived of such an object, the poor and humble soul lavishes this precious, this invaluable possession on the pomps and vanities of earthly rank and splendour. Nor is this an imaginary fear; on the contrary, attention has frequently been drawn, and in various quarters, to a subtle, but very distressing, admixture of worldliness and servility, which has been witnessed even among the more religious, in the Protestant and Anglican schools.

In truth, so far from the sacerdotal system being connected with an undue separation between one Christian and another, it is based, as M. Moehler has pointed out, on the very opposite doctrine, the Communion of Saints. We much regret that our limits will not allow us to do any justice to this very important view, (which may be carried out indeed into some particulars not noticed by that writer); but it is not absolutely necessary to our immediate object, and a faint outline may, therefore, suffice. It is a matter of fact—no peculiarity of the Catholic Church, no matter of doctrine, but a plain matter of fact—that vast numbers of Christians are so circumstanced, whether from poverty of intellectual culture, or the pressure of necessity, or both united, that they must be content with the possession of the minimum of necessary faith, and with the exercise of the minimum of necessary devotion. And even among those of whom this cannot be truly said, great numbers are plunged in the hurry and agitation of active business, and must be so, unless the business of the world is to be left to heathens. Doubtless these labours, if performed with an intention free from worldly taint, avail, through Christ's merits, not only to the salvation of the individual, but to the benefit of the Church. Still, a very large part of such

duties as would appear incumbent on Christians, *as such*, are by such persons very inadequately performed—e. g. habitual and detailed intercessory prayer; thanksgiving one by one for blessings, temporal or spiritual, received; prayer, one by one, for blessings, temporal or spiritual, desired; contemplation of our Lord's life, in all its circumstances; the dwelling in thought on religious mysteries.* As, then, by the intercommunion of Christian works,† the labours of those called to a life of labour redound to the benefit of those not so called, others, whose disposition points out a life of prayer, austerity, and contemplation, as *their* appointed sphere, will perform in their turn those holy functions for the Church's benefit, as well as for their own; and whereas the world abounds in ministries which enforce the *former* class of services, the Church also, if she is to fulfil in all its completeness her mystical and awful office, must have *her* peculiar ministry set apart, to insure the performance of *the latter*. In a general sense, then, and so it has ever been considered, holy Virgins, Solitaries in the desert, the whole monastical and conventual body, must be considered as endued with the ministerial office. The peculiarity, meanwhile, of the priesthood, as distinct from other ministries, lying in this; that while priests are called to *these* duties also, their *primary* office is to be the Church's functionaries in dispensing to the people her varied blessings, sacramental, pastoral, educational; and, above all, in offering up that holy service, whereby the fruits of our Lord's Atonement are daily impetrated and diffused, as some healthy and life-giving stream, throughout the Church. Their office is far more sacred than all others, called as they are to the familiar handling of these tremendous mysteries; but it does not follow that theirs is a lot so favourable to inward sanctification as would be a more quiet and retired station in the Church's service: high and peculiar holiness is *required for*, not *imparted by*, their solemn office. Nor, perhaps, will any definition of their formal function at last so unexceptionably express the truth as this, that they are the ministers, by whose special agency the Church collective, the community of all faithful Christians, intercedes for, and applies her blessings to, her members one by one.‡ A mode of viewing their office,

* We are not for one moment denying, that he who, by cultivating from his earliest childhood a keen and sensitive conscience, has acquired a highly spiritual habit, may triumph over such outward circumstances and in the midst of them live a life altogether heavenly; as is reported of St. Catherine of Sienna. We speak of the *mass* of such men, as cannot nevertheless be called enemies to God or out of the pale of salvation.

† See Bishop Andrewes's *Preces*, p. 49, edit. of 1828.

‡ It is possible that in some friendly quarters we may be suspected here of some tendency to explain away doctrine, in order to the conciliation of Protestants. We may as well therefore mention, that this view of the priesthood is substantially that taken by M. Moehler, who is so far from Protestant tendencies as to be cited with

peculiarly fitted as a remedy to either of the two opposite tendencies, which, it is feared, that office may cause in their mind; self-exaltation, or overpowering fear from a sense of unworthiness. They minister in virtue of no sanctity of their own; but as organs of that Body which is "the fulness of Him who filleth all in all."

The office of preserving the faith "whole and undefiled" is, of course, included in the above statement, as being so important a part of the Church's *educational* functions; included, that is, so far as relates to the promulgation and enforcement of dogmatic decrees. As regards, however, that discussion and examination of a subject which precedes the formal deliberation on such decrees, while priests, as such, are under no obligation of turning their mind to the subject, we are not aware of any reason why laymen, duly gifted, may not bear their full part in them. The decisions even of a General Council were materially influenced by St. Athanasius, when only a deacon; and M. de Maistre, a layman, is said to have been a chief instrument by his writings, in almost revolutionizing the sentiments of the French Church on a very important theological subject.

It is perhaps hardly worth while to advert to the argument, on which so much stress is laid by the Archbishop of Dublin and others as bearing against the Christian priesthood, that all other religions have their sacerdotal body; for the *fact* is questionable, and the *argument* tells with us directly the other way. It would be travelling out of our line to make more than a passing allusion to the former of these assertions; but may we ask, where do we hear of Mahometan priests? And the "Spectator" newspaper, in a paper showing apparently considerable knowledge of the subject, denies that any trace of a similar institution can be found among the Chinese; those who were at first sight taken for priests, answering more nearly to our overseers or churchwardens: a very different category, as need not be said. For the *argument*: surely the universal existence of a phenomenon of the kind would show that there is some deeply-felt want of our nature, which it is well calculated to satisfy. That Christianity may have many external

approbation by Perrone, the standard of authority at Rome just now. See his work on the Unity of the Church, (French edition,) p. 182—185, and p. 283—295. In the following quotation, which we take by way of specimen, he appeals to very high authority in his support—"St. Augustine says the very same thing; he explains how an ecclesiastic has power to remit sins, though he be himself a sinner; he says that that power has been given to the true and spotless Church, those really pure souls who are the root of the visible Church; that it is by their faith, their love, their prayers that they remit them, or rather God remits them by their interference. . . . that the personal purity of the bishops matters little in comparison . . . for the whole community is embodied in him, because he represents her love, it is she who pardons sins, (in other places he names directly Jesus Christ, which we must therefore understand in the sense that Jesus Christ pardons them by her instrumentality,) and not he himself . . . he himself can give no pardon."—p. 287.

marks which other religions have not, is very probable; that it may do what other religions do, only in a better manner, is very probable also; but that it should *omit* to do what other religions do, is the strangest praise imaginable; unless indeed the old paradox be maintained, against which we have already said so much, that Christian nature is something radically differing from, not the complement and perfection of, human nature in general. We suppose that prayer in some shape or other is common to every religion; is this an argument against Christian prayer? Now let us look on the opposite side of the picture. Mr. Milman, in his history of Christianity, as was pointed out at the time in these pages, mentions two doctrines, which, with all his tendency to find out resemblances between Christianity and other religions, he has been obliged to admit as peculiar to the former. The one is the principle of ecclesiastical independence, the other contending to the death for a creed. The first of these is precisely the doctrine which we are advocating. The wonderful idea of a spiritual kingdom on earth was for the first time conceived and embodied in the history of the Church: now a magistrate in a *spiritual* kingdom is precisely a *priest*, a dispenser of *spiritual* sanctions, of *unseen* blessings. The former of these tenets then *is* the priesthood; nor is it necessary to point out the intimate connection between the latter and the visible hierarchical body, which has ever been regarded as the depository of essential truth. One even far more sacred and precious doctrine may be mentioned, the great gift of the Gospel, inherent righteousness; now, whether or not there be any mysterious cause, certain it is, that all who reject the priesthood, have tended practically to the rejection of this doctrine also. The Archbishop of Dublin, for instance, whom Mr. Bernard seems so implicitly to follow, and who has taken so prominent a part in denying the Christian priesthood, like a true Protestant, is incomparably more zealous in maintaining the *negative* position, that Christian Churches are *not* temples of the Holy Ghost, than the *positive* truth that Christians themselves *are*. In his essay on the "Influence of the Holy Spirit," (Essay 9, second series), he alludes to a possible difference, distinguishing Christians from others, in the *degree* or the *promise* of this Influence, but is altogether silent on the very notion of a difference in *kind*. Whereas this very difference in *kind*, as we just intimated, has been ever considered in the Church among the very highest of the peculiar privileges of Gospel times. So far then from the *absence* of a priesthood being valuable as a peculiarity of the Christian scheme, its *presence* is intimately connected with the most striking peculiarities which that scheme possesses.

Neither should we omit such pertinent considerations as the following. It is no valid argument against the truth of certain

views, that they appear to those who reject them as founded on the mere desire of establishing a spiritual domination over the minds of men; for those very doctrines for which "evangelical" Protestants are most commendably zealous, such as the fall of man and the doctrines of grace, present to unbelievers the very same appearance. A work of Mr. Bentham's remains, in which he views these doctrines as invented by St. Paul for the purpose of gaining to himself a priestly power, by help of men's religious fears; and, by a still more curious coincidence with the language used by Protestants about Rome, seriously debates the question whether St. Paul were not Antichrist. Again, there is no one doctrine of the Gospel which is viewed with greater rancour and bitterness by unbelievers, than this which we are defending. Luther is not praised by "evangelicals" themselves with greater zeal and fervour, than by sceptics and profligates of every kind; and on the same ground too, viz. his vigorous attacks on the sacerdotal fabric. Our *enemies*, then, at least consider the priesthood a most powerful barrier and protection to Christian doctrine, and on such matters they are frequently better judges than our friends.*

Here we must mention, in default of a better opportunity, that when in an earlier part of the article we denied that foreign Catholics, as such, are bound to the performance of any formal minutiae, we fully remembered that the priests are; and reserved for this place mention of, the exception. While, however, the careful and minute performance of a ceremonial system is valuable in impressing their own minds with the sacredness of their functions, and most important or rather absolutely necessary, to the edification of the people; the danger of formalism is indefinitely lessened, where those who perform these offices are amenable to the most stringent discipline, are necessarily men of considerable education, and are by rule habituated to long-continued exercises of devotion.

And now to bring this part of our subject to an end. We shall the better understand the origin of the peculiar appearance which the priesthood has from time to time presented, as though it were the whole Church, by considering the external changes through which the Church has passed. The priesthood may be called the organs of the Spirit, Who dwells within the Church, whereby He grasps her several members and unites them to the one Body. Now in early times, when persecution raged, every feeling of devoted loyalty and attachment on the part of the faithful would be centred in one direction; they would, as it were, enthu-

* We pledge ourselves to the truth of this fact; that a person of some intelligence, at that time possessed by a very strong antipathy to the whole sacerdotal and sacramental system, read a book called "Rights of the Christian Church" with great delight, as one of the best defences of the "pure Gospel against priestcraft" with which he had happened to meet. It is a book pretty well known, and written by—Tindal the infidel.

siastically groupe themselves around the priests, and present the external appearance of one compact globe. Time goes on, and circumstances alter; nations become Christian, and individuals have a place and an interest in the kingdoms of this world, as well as in the kingdom of Christ. They fall back, then, from the position we have described; cast their eyes on objects of this earth; divide their allegiance; and thus the priesthood gradually becomes, not only what it was at first, the centre of the Church, but also what it was not, the Church's visible representative. It is not that the priests have usurped power and spiritual blessings, but that the laity have lost interest in their possession; not that the clergy have pressed forward, but that the people have fallen back. It by no means follows from this, that the amount of holiness within the Church is less than formerly; but that it is very far less in proportion to the Church's *numbers*. An incomparably smaller *proportion* of Christians are earnest and devout; nor is it possible to draw any external line of demarcation between such, and those who are of a very opposite character. The laity, then, *as a whole*, are very far less religious; and it is most certain, that as love and zeal abate, as loyalty becomes lavished on earthly and unworthy objects, as it becomes difficult or impossible to enforce a strict rule of discipline on the *mass* of men, the visible distinction increases between the clergy and the rest of the Church, and the priesthood stand forth before the world, as it were far better that the whole Church should do, the exemplar of Christian strictness, purity, and self-denial.

Still, to test this favourite allegation, this supposed antagonism between sacerdotal power and the spiritual liberty of ordinary Christians, let us even appeal to present facts, even to the existing state of Christendom, when more than in almost any former period of history "the kings of the earth" have successfully "risen up and the rulers taken counsel together against the Lord and His Anointed." Where shall we find the greatest tendency to speak as though the clergy constituted the Church? In England, where the doctrine of the priesthood has so long slumbered, or abroad, where it has remained? In England, where it is a recognised principle, that "Church" property may be devoted by the clergy to the maintenance of *their own* wives and families, not to speak of Church money bequeathed by will; or abroad, where, from their whole discipline, such abuses, to a comparable extent, are absolutely impossible? In England, where great numbers of the Churches seem specially built to repel the poor, and the great majority make the most marked distinction between them and others, and where the poor who do come show no sign (to speak generally), by gesture or countenance, that they are bearing a very lively and important part in the service; or abroad, where they crowd the

churches with eager enthusiasm ; where "high and low, rich and poor, one with another," unite in the worship of God ; where we hear of the poorest classes singing hymns as they go forth to their daily work, and spending their Sundays (to speak of one instance we know) in sailing down the Rhine, chanting hymns as they go, and stopping to hear a mass at each village to which they come ? Which is invariably called the Church of the poor by those who have no theory to maintain on the subject, by political philosophers, and benevolent travellers ? notoriously the Church of Rome ; and that, not in virtue of any peculiar doctrines developed in these later days, but of essential principles which have existed from the very first ; which she has retained, which our own Prayer-Book requires, and which every principle and every detail of our *practical* system contradicts.

We really owe Mr. Bernard an apology for making free with his title, and naming his book at the head of our remarks, while we have said so little about it : but the first of the two subjects we specified has so grown on our hands that we must hurry to a conclusion. We cannot indeed but think that the point we have been discussing is far the most important of the two, and that in this, as in other cases, when a system is *desired* by the spiritual mind, apparent difficulties on the surface of Scripture will be no bar to its reception. Mr. Bernard has written his work in a most dispassionate and most unassuming manner, and has given the world much very useful and interesting information ; but as an *argument* we consider it a failure. He desires to overthrow the priestly system, by proving that the Apostles carefully modelled the Christian Church on the Synagogue rather than the Temple. Who does not imagine, on hearing this contrast, that the worship in those places respectively was conducted on fundamentally opposite principles ? that in the former there were no "vain and idle forms," no local and material sanctity, that all was what is absurdly called "spiritual," by which is meant chilling, repulsive and profane ? We are at a loss to see how Protestant opinions would gain, or how they would do other than materially lose, in the way of evidence, did Mr. Bernard prove to demonstration that the Apostles carefully fashioned Christian worship and ceremonial on the model of an institution, in which the Jews turned in prayer to "the Temple, the ark of the covenant, the mercy-seat" (p. 13), in which it was "a maxim with the doctors that the sanctity of a place could (might) not be diminished" by employing it on any less holy purpose (p. 17), in which "the worshippers on entering the synagogue bowed towards the ark, looking upon it as the *emblem of that ark on which rested the*

symbol of the Divine presence" (p. 45), "it was illegal to light a private lamp or candle from the light of the synagogue" (p. 46), "the vail was an auspicious ornament—no doubt in imitation of the vail of the temple," and so on with fifty other particulars. If this be the sort of worship which the Apostles appointed, what would they think of that which Protestants have invented?*

Passing now from questions about external ceremonies to others still more important—a protest has been entered over and over again against the habit of laying stress on *negative* arguments, e. g. on the *silence* of Scripture as being unaccountable on an alleged hypothesis, &c. ; a protest which began with Bishop Butler, and has continued to the present day. When we are able to form some guess at least of the clearness with which *it were to have been expected* that an inspired volume would make its disclosures, there may be some degree of force in such an argument; but none till then. Or were it acknowledged that the Bible was given to *teach* religion to individuals, such reasoning might be of weight; but every one knows that this is one of the very cardinal points, on which existing controversies turn. Or if persons are prepared to deny the Divinity of the Holy Ghost, the Atonement of our Lord, nay His Divinity also, they will not be so far self-convicted of inconsistency in urging such an objection; for the reception of all these doctrines is opposed by a difficulty precisely similar. Or if it be fairly contended that Christians really commit very few sins, because the New Testament preserves so marked a silence on their sins; or that prayer for ourselves is not a primary duty under the Gospel, because the precepts in the Epistles are almost exclusively confined to *intercessory* prayer;† then the principle advocated is at least consistently carried out. But as an argumentative procedure, nothing can be weaker and more narrow-minded, than for those to urge a principle in a particular case, who violate it most flagrantly on others not less important.

A well-known formal answer to this whole description of ar-

* It may be as well to add one or two more instances from Mr. Bernard's book. "Synagogues were sometimes built near the sepulchres of devout persons; . . . *synagogues thus circumstanced were esteemed more sacred.*" (p. 6.) "The Jews built their synagogues, with the end in which the ark was placed towards Jerusalem." (p. 140.) "The Jews in later times (apparently however before the Apostles) were most anxious that their synagogues should *resemble the Temple as nearly as possible*; and thus each synagogue had a porch, a holy place, a sanctuary." (p. 143.) In one "portion of" a certain "prayer . . . they raise their eyes to heaven in order to excite greater devotion; they move the whole body, *trembling as it were on account of the tremendous holiness of God*, and at the same time they leap up; . . . immediately however leaping back, because it is impossible to approach to God," &c. (p. 203, 204.) We had marked many other instances, but these may suffice. Let it be observed that we are not bound specially to admire the *peculiar* forms and ceremonies here spoken of; our argument is, that what human systems (and such the synagogue system may be considered) do less well, the Christian does well.

† Newman's Sermons, vol. iii. p. 382.

gument is to be found in No. 85 of the "Tracts for the Times;" indeed we may well take a leaf from the book of Mr. Bernard's authority, the Archbishop of Dublin, and fill the air with our complaints that, notwithstanding the argumentative structure of that essay, and its very great *appearance* of cogency, the same objections are incessantly reiterated without (so far as we are aware) even an attempt to give it any other answer than violent and angry declamation. We had fully intended however to say something here on the matter, and much regret that our space forbids it. Although as an *objection* it is worthless, as a *phenomenon* it is very remarkable; and no one can question that great benefit must result from its attentive contemplation. One important element of the proposed inquiry would of course be, some determination as to the relative places of the Law and the Gospel; in what particulars the former is reversed, in what others its essential principles still remain in all their force. Another consideration would be, to how great an extent the "mediatorial" functions of the Church, in each one of our Lord's offices, is involved morally in the declarations of Scripture on His Incarnation, and on the Church's character as His Body. So far however as regards the controversy with Protestants, the *primâ facie* bearing of the New Testament is amply sufficient. The very root and ground of their opposition lies in the tenet, held by the Church, of the interposition of human "mediators" between God and the soul; her denial of the doctrine that faith is, of itself, the means of admission into the fulness of Gospel grace. Now there is not one fact more clear, on the very surface of Scripture, than that the Apostles *were* such "mediators;" that Christian blessings were imparted by a visible body, that their condition was union with that body, and that the Apostles possessed the power of admitting or excluding whom they would. A spiritual kingdom, a polity like earthly polities but that the sanctions are *unearthly*, this is the one notion of the *primo-primitive* Church which we should all derive, were it not for the inveterate prejudices which possess us. We may as well deny our Lord's Resurrection, or St. Paul's Conversion, as deny so obvious a fact.

Whether therefore a principal function whereby the Apostles interceded for the Church were the offering of Sacrifice, and what account may be given of the almost total silence of Scripture on the latter doctrine, are questions full of interest and pregnant with meaning to the serious believer in the "Holy Catholic Church." But to the Protestant, they are *uninteresting*, and *unmeaning*; his objection is one of principle, not of detail; and *on* the principle, Scripture is plainly and undeniably against him. To admit "human mediation," but make a great stir against one particular *mode* of mediation; to admit the fact of "*mediating*," but protest

with frantic zeal against the notion of "sacrificing," priests; this would be an extremity of weakness, which, we are glad to own, we lay not to the charge of any Protestant.—His ingenious discoveries then on the usage of the sacred writers with regard to such words as "priest," "sacrifice," "temple," and the like, will be doubtless highly beneficial to the cause of truth; for they will suggest lines of inquiry to thoughtful persons, which may very probably aid in the establishment of some important principles of interpretation. But as used *against* that cause, as used for the purpose of defending the great schism of these later ages, and impeding the re-establishment of pure Gospel principles, freed from the corruption and disfigurement of human traditions, they are as illogical in the way of strict argument, as such topics will *ever* be found uninfluential in the way of practical persuasion.

Reviewed by W. F. Ward.

ART. II.—*A Practical Exposition of the Epistle of St. Paul to the Romans and the First Epistle to the Corinthians. In the form of Lectures, intended to assist the Practice of Domestic Instruction and Devotion.* By John Bird Sumner, D.D. Lord Bishop of Chester. Hatchards. 1843.

THE name of the present Bishop of Chester is one which ought never to be mentioned without respect and sympathy. His Lordship's long and valuable services at Eton, where he contributed to lay the foundation of that better, because more religious system of teaching and training which is now carrying out, with greater or less effect, in our different public schools; his active parochial and diocesan ministrations, zealously and patiently continued under a series of domestic bereavements which would have broken the spirit of a less resigned, energetic, and even-minded Christian; his kindness of heart, mildness of bearing, and unostentatious simplicity of life, all occur as checks to the desire, could it even arise, of commenting upon any word or action of his Lordship in an arrogant or unfriendly temper. Nothing, we can most truly say, would induce us to except against a publication bearing his Lordship's name on its title page, but a zeal for what we believe to be the truth of the Gospel, and, we will add, a regard to considerations of justice and charity. We are desirous, certainly, of pointing out what seem to us very grave errors of doctrine to which the Bishop of Chester has given the sanction of his respectable name; but, much rather, of attempting to vindicate certain principles and parties, the objects of his Lordship's censure, against his (we cannot honestly say *natural*, but yet, we are sure) unintentional misrepresentation; and thus, if so be, of lessening the breach

which must still unhappily separate two schools of theology so diametrically opposite to each other as the Lutheran, which the Bishop of Chester espouses, and what his Lordship will readily allow us, though perhaps in his own sense, to call the Catholic, to which we are desirous at all hazards of bearing our feeble testimony.

And this reminds us, that we recognize a point of sympathy with the Bishop of Chester in the midst of our greatest differences with him; even as respects the very estimate which his Lordship has formed of the theological system which he opposes, so far, that is, as this estimate is decided and uncompromising. The Bishop has spoken of the doctrine of the "*Tracts for the Times*," in language anything but complimentary, yet which at least attests his conviction (and here it is that we cordially agree with him) that the question between the two sides is one of the most vital moment. His Lordship has applied to that doctrine (under circumstances which forbid the suspicion of carelessness and haste) the strongest, the very most awfully strong, terms of condemnation that heart can conceive, or lips utter, or pen indite. Those expressions, occurring where they do, are no fit subject of our criticism. But, so far as they indicate a deep and deliberate opinion that the theology which the Bishop of Chester supports, and that to which the *Tracts* have in their measure contributed, are as opposite as "*light and darkness*," (not to proceed with the quotation from St. Paul,) we feel that we *understand* his Lordship, and can so far sympathize with him better than with many who seem to us more orthodox, but less clear sighted; and honour him for his consistency, in exact proportion to our dissent from his (avowed) theological principles. It cannot be too often repeated, that, if Protestantism be Christianity, Catholicism is Antichristianism, and (of course) vice versâ. There never was and never will be charity in softening down real distinctions; open hostilities are ever a shorter road to eventual peace than hollow and suspicious alliances. We, on one side, have been preaching up zeal these many years; let us honour the marks of it wherever they appear. Let us bear to have our doctrine spoken of by others, as we ought, were we not cowardly, to speak of theirs. Let us remember that sincerity is ever a gain, as far as it goes. Even an atheist, to put an extreme case, would but make matters worse by being an hypocrite or a flatterer in addition; and the same obvious but often forgotten truth holds good in the case of every shade of deviation from the line of doctrinal rectitude. "*Hanc veniam petimusque damusque vicissim*;" the licence, namely, of clearly and honestly maintaining our own side, true or false. Yet many respected persons seem almost to feel that controversialists are bound

to be courteous not merely towards the persons, (as doubtless they are,) but towards the *principles*, of their antagonists. It is most true, indeed, that, under actual circumstances, so very few persons have mastered their own views, and thus hold either simple truth or simple error, that this extent of indulgence often does become a point of Christian charity. We are here, however, speaking of cases in which parties have made at least a considerable approximation towards realizing the true nature, mutual bearings, and remote tendencies of their principles; and thus, together with the right of upholding manfully their own conclusions, have acquired that also of protesting, in all legitimate ways, against the contradictories of them. We must never forget, again, that where the landmarks of truth have been so extensively removed or so frightfully disfigured as among ourselves at this time, even good men may be excused for many false steps; and so, where they maintain their views uncompromisingly, are entitled not merely, if so be, to respect on the ground of their sincerity, but to a full measure of forbearance on the ground of their disadvantages.

We are all along taking it for granted that there are *but* two *real* religious systems in the world, and *but one* that is *true*. Upon no other hypothesis can opposite sides be justified in anathematizing each other. But this is a position which we claim the liberty of assuming without proof. At least we have the Bishop of Chester as a witness to it; for he is far too kind and too serious a man to have denounced the doctrine which is the antagonist of his own, as "Satanic," except under a deep and keen apprehension of the vital magnitude of the question at issue, *whichever* be the side of truth.

In the Preface to the volume before us, which seems to be intended as a kind of vindication of the strong language of the Charge, (though couched, we are bound to add, in strikingly milder terms,) the Bishop gives a hint of the idea under which he would characterize the Catholic view of man's justification as an Antichristian, and so as part of the wisdom which is "from beneath" and not "from above." His Lordship seems to feel that it tends to the aggrandizement of self above God; and of such a system the precise notion which a serious-minded person like the Bishop of Chester must form, is, that it is the direct work of the Evil one. Antichrist we know is prophetically described as the "Man of Sin, who opposeth and exalteth *himself* above . . . God." This (to be plain) is just our *own* notion, as we have never shrunk from avowing, of Protestantism, considered *as a system*, apart from all the holiness of many of its professors, and from all the accretions of Truth which it has collected in its progress through

the Anglican Church, and in union with which it comes visibly before us. The Bishop of Chester, we suspect, could we read his thoughts, would on his side hold neither more nor less than this of what goes by the name of the Oxford movement. He would tell you that the condemning error, the *πρωτον ψευδος*, of that movement, to which no amount of piety, still less of learning, in its professors, should in reason blind the youthful learner at the feet of Christ, is not (solely or directly) its claim of Apostolical succession, nor its plea in behalf of ceremonial religion, nor its doctrine of reserve, nor its sympathy with foreign Churches, but that which is at the root of all these pretensions, pretences, and predilections, its *derogation from the work of Christ our Saviour*. It was with an eye at once keen and long sighted that the Council of Trent wound up its decrees upon the subject of Justification with this anathema: "Si quis dixerit, per hanc doctrinam Catholicam de justificatione, a sanctâ Synodo hoc præsentî decreto expressam, aliquâ ex parte *gloriæ Dei vel meritis Jesu Christi Domini nostri, derogari* anathema sit."* The assertion here condemned was made by the Lutherans of that day, and it is repeated, or at least intimated, by Protestant Bishops of our own time. Thus, in the Preface before us, the Bishop of Chester more than insinuates that *pride* is the real *ground* of the rejection of the Lutheran doctrine, and the allegation of its immorality the *pretext* only. He speaks of (well-informed) persons who are "swayed, unconsciously to themselves, by the *unwillingness of the heart to resign all pretensions of its own*, and who are thus led to *confound together the merits of Christ and the works of Christians, till there remains no sure ground to rest upon*. They plead as their *excuse* that morality and works of righteousness are in danger."—(p. xxxi.)

This imputation is courteously expressed; somewhat too courteously, perhaps, considering its momentous nature. For it amounts to nothing less than a charge directed against a very large body of persons in our Church of (material) Pelagianism. We wish this to be distinctly observed. "To profess to believe in Christ," says a writer of our time, "yet not to acknowledge that without Him we can do nothing, is what is called the Pelagian heresy . . . the belief (to speak popularly) that 'holy desires, good counsels, and just works' can come *of* us, can be *from* us . . . whereas they are from God only."† Now it is certainly not a little curious that these should be the words of one whom the Bishop of Chester seems to treat as his principal antagonist. However, no matter whose words they are; of their truth there is no question on any side; nor, again, that the Spirit of Antichrist was, undoubtedly, at work, through that Pelagian leaven, of which

* Sess. VI. can. 33.

† Newman's Sermons, vol. v. Sermon 10.

the baneful fruits are thus described. No wonder, then, that a person like the Bishop of Chester, too thoughtful not to follow propositions into their consequences, and too straightforward to shrink from the odium of declaring those consequences, whatever they may be, should characterize a doctrine of which he so conceives by a term certainly not short of the truth, yet as certainly not beyond it.

We are happy, then, in being able to declare our most cordial agreement with the Bishop of Chester in considering, that if the tendency of the Catholic doctrine of Justification be such as his Lordship supposes, no words can be too strong to express the abhorrence with which a Christian person ought to regard it.

But let us examine the Bishop's words. His Lordship says (like a charitable controversialist) that these "self-righteous" views exist, in the parties to whom he alludes, *unconsciously to themselves*. He means, that is, that they are the natural, though unobserved, results of the *doctrine*. Now, had not these parties been forward to repudiate these consequences, it would not indeed have followed that they were therefore involved in the doctrine, yet it would have been competent to an opponent (especially when carefully guarding himself from the suspicion of personality) to attribute them. But it is surely one of the most elementary rules of controversy, not to impute conclusions which your adversary has been at pains to disavow; at least, not to do so without noticing his disavowal, even though you withstand it. Such, however, we are sincerely sorry to say, has been the course into which the Bishop of Chester has been betrayed; and we do earnestly trust that his Lordship will take an early opportunity of informing the public in what light he regards the following statements of Mr. Newman, which he certainly ought to have, at least, acknowledged. If his Lordship had but said "I am well aware that these consequences are disowned; still I cannot help fearing that the parties do not know themselves," or the like, no one could reasonably have made an objection. But not a word of the sort appears, and that in the face of such earnest, repeated, and explicit declarations as the following; which the Bishop of Chester either has, or has not read.

"Whatever we have is not of us, but of God. This surely it will not take many words to prove. Our unassisted nature is represented in Scripture as the source of much that is evil, but *not of any thing that is good*. We read much in Scripture of evil coming out of the natural heart, but *nothing of good coming out of it*. When did not the multitude of men turn away from Him who is their Life? when was it that the holy were not the few, and the unholy the many? and what does this show but that the law of man's nature tends towards evil, not to-

wards good? As is the tree, so is its fruit; if the fruit be evil, therefore the tree must be evil. When was the face of human society, which is the fruit of human nature, other than evil? When was the power of the world an upholder of God's Truth? When was its wisdom an interpreter of it? or its rank an image of it? Shall we look at the early age of the world? What fruit do we find there? 'The earth was corrupt before God, and the earth was filled with violence.' 'God saw that the wickedness of man was great upon the earth, and that every imagination of the thoughts of his heart was only evil continually. And it repented the Lord that He had made man on the earth, and it grieved Him at His heart.' Shall we find good in man's nature after the flood, more easily than before? 'And the Lord said, Behold the people is one, and they have all one language, and this they begin to do, and now nothing will be restrained from them which they have imagined to do. . . . So the Lord scattered them abroad from thence upon the face of all the earth.' Shall we pass on to the days of David? 'The Lord looked down from Heaven upon the children of men, to see if there were any that did understand and seek God. They are all gone aside, they are altogether become filthy; there is none that doeth good, no not one.' Three times did God look down from heaven, and three times was man the same, God's enemy, a rebel against his Maker. Let us see if Solomon will lighten this fearful testimony. He says, 'The heart of the sons of men is full of evil, and madness is in their heart while they live, and after that they go to the dead.' Shall we ask of the prophet Isaiah? He answers, 'We are all as an unclean thing, and all our righteousness are as filthy rags; and we all do fade as a leaf; and our iniquities as the wind have taken us away.' Or Jeremiah? 'The heart is deceitful above all things, and desperately wicked.' Or what did our Lord Himself, when He came in the flesh, witness of the fruits of the heart? He said, 'Out of the heart proceed evil thoughts, murders, adulteries, fornications, thefts, false witnesses, blasphemies.' And will His coming have improved the world? How will it be when He comes again? 'When the Son of Man cometh, shall He find faith on the earth?' *What then human nature tends to is very plain, and according to the end, so I say must be the beginning. If the end is evil, so is the beginning; if the termination is astray, the first direction is wrong.* 'Out of the abundance of the heart the mouth speaketh,' and the hand worketh; and such as is the work and the word, such is the heart. Nothing then can be more certain, if we go by Scripture, not to speak of experience, than that the present nature of man is evil, and not good; that evil things come from it, and not good things. *If good things come from it, they are the exception, and therefore not of it, but in it merely; first given to it, and then coming from it; not of it by nature, but in it by grace.* Our Lord says expressly, 'That which is born of the flesh, is flesh; and that which is born of the Spirit, is Spirit. Marvel not that I say unto thee, Ye must be born again.' John, iii. 7. And again, 'Without me ye can do nothing: John, xv. 5. And St. Paul, 'I can do all things through Christ, that strengtheneth me.' And again in the Epistle before us, 'Who maketh thee to differ from another? and what hast thou that thou didst not receive? now if thou didst receive it, why dost thou glory, as if thou hadst not received it?' 1 Cor. ix. 7.

“ *This is that great truth which is the foundation of all true doctrine as to the way of salvation. All teaching about duty and obedience, about attaining heaven, and about the office of Christ towards us, is hollow and unsubstantial, which is not built here, in the doctrine of our original corruption and helplessness; and, in consequence of original guilt and sin. Christ Himself indeed is the foundation, but a broken, self-abased, self-renouncing heart is (as it were) the ground and soil in which the foundation must be laid; and it is but building on the sand, to profess to believe in Christ, yet not to acknowledge that without Him we can do nothing.*”

And then follow the words about the Pelagian heresy, which have been already quoted.

Nothing, indeed, can be more certain, than that, whatever other exceptions may be taken against the Catholic doctrine of Justification, it is absolutely invulnerable against the charge of derogating from the honour of our Lord. We may be permitted again to derive an *à fortiori* argument to this effect from the language of the Council of Trent, which, according to the rule “*omne majus continet minus*,” may be considered to include all that the most extreme *Anglican* writers are likely to have said upon the subject. Now it must be plain under what grievous disadvantage a Protestant controversialist would lay himself, who should impute any thing of a *Pelagian* tendency to the Catholic doctrine of Justification, as defined even at Trent, considering with what jealous care that doctrine is guarded against this peculiar danger, and that, not merely by saving clauses, but by bold and distinct *anathemas*. For instance,

“ *Si quis dixerit hominem suis operibus, quæ vel per humanæ naturæ vel per legis doctrinam fiant, absque Divinâ per Jesum Christum gratiâ posse justificari coram Deo: anathema sit.*”

“ *Si quis dixerit ad hoc solum Divinam gratiam per Christum Jesum dari, ut facilius homo justè vivere ac vitam æternam promereri possit, quasi per liberum arbitrium sine gratia utrumque sed ægre tamen et diffculter possit: anathema sit.*”

“ *Si quis dixerit sine præveniente Spiritûs Sancti inspiratione atque Ejus adjutorio, hominem credere, sperare, diligere, aut pœnitere posse sicut oportet, ut ei justificationis gratia conferatur: anathema sit.*”—Sess. vi. c. 1, 2, &c.

Again, in a passage surely not less remarkable for its deep piety, and true Christian eloquence, than for its theological exactitude :

“ *Quæ justitia nostra dicitur, quia per eam nobis inhærentem justificamur, illa eadem Dei est, quia a Deo nobis infunditur per Christi meritum. Neque vero illud omittendum est, quòd, licèt bonis operibus in Sacris Literis neque adeò tribuatur, ut etiam qui uni ex minimis suis potum aquæ frigidæ dederit, promittat Christus eum non esse suâ mercede cariturum; et Apostolus testetur id quod in præsentì est momentaneum et leve tribulationis nostræ, supra modum in sublimitate æternum gloriæ pondus operari in nobis: absit tamen ut Christianus homo in seipso vel*

confidat, vel glorietur, et non in Domino! Cujus tanta est erga omnes homines bonitas, ut eorum velit esse merita, quæ sunt Ipsius dona."—Sess. vi. c. 16.

We ought not, however, in justice to the Bishop of Chester and those who feel with his Lordship, to forget that the language of Anglican divines, especially of the last century, is often such as to give colour to a charge which cannot with any pretence of truth be urged against, for instance, the Tridentine statement. We do not then forget, that Tomline and others of his school, to go no further, have been led, in their dislike of Calvinism, to make many assertions of a decidedly Pelagian sound, and we are inclined to suspect, that the Bishop of Chester, like so many others, has been swayed in his judgment of the *Oxford* writers by the recollections of his youth. Still, it is not of Tomline or Marsh that he now speaks, but of Mr. Newman and Dr. Pusey; yet we find no disposition in his recent controversial writings to give them, or those who have been guided by them, the benefit of this distinction. For example, is it not notorious that the *Arminian* section of our Church has sheltered itself from the effects of the *quàm longissimè* of the Ninth Article in the "very far gone" of the English rendering? How entirely free from any such misgiving are the words, already quoted, of Mr. Newman, "*All teaching about duty and obedience, &c. is hollow and unsubstantial which is not built here, in the doctrine of our original corruption and helplessness, and, in consequence, of original guilt and sin. Christ Himself indeed is the Foundation, but a broken, self-abased, self-renouncing heart is (as it were) the ground and soil in which the foundation must be laid, and it is but building on the sand, to profess to believe in Christ, yet not to acknowledge that without Him we can do nothing.*" Could the Bishop of Chester himself describe the doctrine in words more earnest and uncompromising? And such words are to be found over and over again in Mr. Newman's writings. We open (literally by accident) at the next Sermon in the same Volume, and there we read,

"First, not much need be said to make it plain that by nature we cannot please God, or, in other words, have no principle of righteousness in us; or as St. Paul says, in so many words, 'They that are in the flesh cannot please God,' and just before, 'The carnal mind is enmity with God,' &c. In the foregoing Chapter he says, 'We know that the Law is spiritual, but I am carnal, sold under sin,' &c. In like manner, the prophet Isaiah says, 'We are all as an unclean thing; and all our righteousness is as filthy rags.' Such is our state by nature; the best things we do are displeasing to God in themselves, as savouring of the Old Adam, and being works of the flesh and not spiritual."*

Here are the very texts of which Arminians are shy, and which

* Vol. v. Sermon, xi.

Pelagians either evade or explain away, not merely encountered with boldness, but pressed into the service of a doctrine which in our own younger years we used to hear, even in respectable quarters, quietly set aside, if not rather contemptuously scouted, as a piece of Calvinistic enthusiasm. Indeed, nothing is more remarkable, in this whole controversy, than the unsuspicious readiness with which Mr. Newman addresses himself to the interpretation of texts which form the great substance of proof on the other side, when compared with the awkwardness which Lutheran divines seem to find in dealing with those which tell against *them*. We put it, for instance, to any unprejudiced person, whether Mr. Newman's account of the earlier parts of the Epistle to the Romans be not more satisfactory, as doing less violence to the sacred text, than the Bishop of Chester's interpretation of the much canvassed passage in the Epistle of St. James.

"St. James, when he affirms that by works faith is made perfect, does not mean that these works *procure* our reconciliation with God" (certainly not as the meritorious cause, but in no sense therefore?) "but *prove* it; and in declaring that by works a man is justified and not by faith only, he means" (one cannot but observe how much this mode of speaking *sounds* like a claim of infallibility) "that a man does not with his heart believe unto righteousness, who does not in his life make confession unto salvation;" *does not*, that is, as a matter of fact, and because (as it is said a little farther on) "*none are ever received into God's favour whose patient continuance in well doing*" (we expected to find "*has not sprung out of their faith,*" or the like, but no) "*He has not foreseen.*"—*Preface*, p. xxx.

How far more intelligible is Mr. Newman's account of the very difficult words in *St. Paul*, than the Bishop's construction of the very simple passage in *St. James*.

"St. James says that Justification is by works, and St. Paul that it is by faith: but, observe, St. James does not say that it is by dead or Jewish works; he mentions expressly both faith and works; he only says, 'not faith only but works also: and St. Paul is far from denying it is by works, he only says that it is by faith, and denies that it is by *dead* works. . . . St. James says not *dead* faith, and St. Paul not *dead* works. St. James, not by faith *only*, for that *would* be dead faith. St. Paul, not by works only, for such *would* be dead works.'"—*Newman's Sermons*, vol. v. serm. 12.

This, however, is somewhat to anticipate the course of our observations. With the view then of showing what is the real point at issue, we propose to draw out as fully and clearly as our ability and limits will allow, the rival views of this great question, as exhibited, the one in the Bishop of Chester's Preface, the other in the volume of Mr. Newman's Sermons from which we have already made some extracts, and which may be taken as containing (in the series of Sermons from the 10th to the 15th inclusive) the *popular* exposition of the doctrine which the author has dis-

cussed in a stricter and more theological form in his "Treatise on Justification." And first of the Bishop of Chester's view.

His Lordship begins, so far with Mr. Newman, by setting forth the "moral ruin and consequent condemnation" of man's nature, as (in Mr. Newman's words) the "ground and soil" on which the Foundation is laid. This elementary doctrine the Bishop enunciates in strong terms; but in terms no whit stronger, perhaps even less forcible, because less diversified and accumulated, than those in which Mr. Newman insists upon it.

The first and preliminary question being thus determined—

"The next question," proceeds the Bishop, "must relate to the method of restoration. Is it to be effected by an intrinsic process, or to proceed from some foreign and external source? is it to depend on what man is to do in his own person, or on what is wrought for him by another?"—p. xv.

The Bishop then goes on to decide absolutely in favour of the latter mode, and absolutely against the former. The former (or course of repentance and obedience) he considers to have been the way of the Law alone. The prophets, he tells us, declared mercy and pardon to the wicked who should forsake his way; they said "when the wicked man turneth away from his wickedness," &c.* Accordingly, when David or Manasseh repented and humbled themselves they were forgiven, and received into Divine favour. They were healed, his Lordship proceeds, like Naaman, for what they *did*, and without any vicarious process. The words which follow are certainly startling, if meant to contain an account of the whole process of Justification.

"The Gospel, however, takes a different line" (i. e. from that of repentance and obedience). "The deliverance which it proclaims is *altogether extrinsic*, not dependent upon what man has done, *or is to do*; but is already wrought, and is to be received, not gained; freely conferred, not wrought out by repentance and obedience. The Gospel does not speak in the words of the Law, 'This do and thou shalt live;' but its language is, 'Thy sins be forgiven thee; go in peace.'"

* * * * *

"This revelation" (his Lordship proceeds) "is reasoned upon and fully explained by St. Paul, who sets forth the two different ways in which man might be accounted righteous before God" (i. e. "complete obedience," or pardon irrespective of works past or to come). "And the whole is summed up by the Apostles in a few decisive sentences, such as 'There is now no condemnation to them that are in Christ Jesus,' &c." p. xviii.

Such then being, according to the Bishop, the Divine method of restoration, the next question respects the means by which the

* By the way is not this very passage applied by our own Church to the state of *Christians*, and that in a part of the Service peculiar to modern times?

deliverance is to be secured by the parties for whom it is designed; and in reply to this question, his Lordship determines that "the benefit is to be obtained by a personal appropriation of the sacrifice to ourselves; Faith being the secret instrument, and Baptism the outward seal." (p. xx.) "This it is to be justified by faith," which faith again is "not a work of obedience, nor an act of duty," but a simple "trust" or "reliance, the graft, as it were, by which a believer is united to the true vine, and separated from the natural stock to the root of which the axe is laid."—p. xxv.

To this statement of the case it is certainly a natural, but, in the words of the Bishop, a most injurious objection, that it "destroys *inherent righteousness*." (We are truly glad to find Bishop Sumner apparently adopting this Catholic form of expression.) It does not so, according to his Lordship; "we are not saved without works, and yet works do not constitute our justification." A distinction, he continues, to which it may be objected that it is "a nice one." The answer to this objection is certainly inconclusive, consisting in little more than a mere repetition of the original statement.

"Though a nice distinction, it is perfectly intelligible and reasonable. Above all, it is Scriptural. It is that conclusion from the whole volume of antecedent revelation, which St. Paul was empowered to indite for the instruction and guidance of that world for which Christ died." (But is not all this the thing to be *proved*?) "Whereas to unite together two things *so distinctly separated* as Justification and Sanctification is in effect to devise a scheme of salvation for ourselves."—p. xxviii.

This, we take leave to say, is assertion not argument. It is maintained, on the other side, that works (i. e. good Christian works done by the power of the Indwelling Spirit, and not of man's natural strength) *do* "contribute to our Justification," and this statement is founded upon a multitude of texts: and the only answer given is, that this is, in fact, "to devise a new Gospel;" far too grave and sweeping a charge, we must feel, to be advanced without even any *attempt* at proof.

The general objection, that the view thus taken of our Justification provides no adequate security for holiness, is met by the Bishop with the following replies, if we rightly understand his Lordship. 1. That the justified *do*, in point of fact, obey, as a part of the Divine Counsel concerning them. 2. That the sense of sin's heinousness, the consequence of accepting the doctrine of the Atonement, is a sufficient guarantee for the future. 3. That all ministerial experience attests the connexion between an intelligent perception, and a due appreciation, of this doctrine on the one side, and Christian holiness on the other.—p. xxxi.

The Catholic view likewise begins with the doctrine of our absolute weakness by nature, and sole and entire sufficiency in

Christ. After dwelling, as we have seen, at length, upon the former position, Mr. Newman proceeds :

“ Our Lord and Saviour Jesus Christ when He came on earth in our flesh, made a perfect atonement, ‘ sacrifice, oblation, and satisfaction for the sins of the whole world.’ He was born of a Woman ; He wrought miracles ; He fasted and was tempted in the desert ; He suffered and was crucified ; He was dead and buried ; He rose again from the dead ; He ascended on high and ‘ liveth ever ’ with the Father, all for our sakes.”—Vol. v. Serm. x.

The declaration of the Council of Trent is substantially the same.

“ Quo factum est, ut cœlestis Pater, Pater misericordiarum, et Deus totius consolationis, Christum Jesum, Filium suum, et ante Legem, et Legis tempore, multis sanctis Patribus declaratum ac promissum, cum venit beata illa plenitudo temporis, ad homines miserit ; ut et Judæos, qui sub Lege erant, redimeret ; et gentes, quæ non sectabantur justitiam, atque omnes adoptionem filiorum reciperent. Hunc proposuit Deus, *Propitiatorem per fidem in sanguine Ipsius* pro peccatis nostris ; non autem pro nostris, sed etiam pro totius mundi.”*

These are words to which the Bishop of Chester himself could find no difficulty in subscribing ; but at this point different members, we lament to feel, of our Established Church, must part company.

For the Bishop of Chester and Mr. Newman, who may be taken as representatives of the two schools, while agreeing that (in the words again of Trent) “ the meritorious Cause of Justification is the most beloved and only-begotten Son of God, our Lord Jesus Christ, who, when we were enemies, through the exceeding love wherewith He loved us, purchased for us the title to Justification by His most holy Passion on the Wood of the Cross, and made satisfaction to God the Father for us,”† differ altogether as to the mode in which man becomes partaker of the benefit of this Atonement ; the Bishop considering the act of Justification as wholly extrinsic, and appropriated in each case by the sole instrumentality of Faith, Mr. Newman understanding Justification to consist in the inward work of the Holy Spirit, who is commissioned by our Lord to invest His members with His Righteousness, and so to bring them within the immediate scope of the benefits of His Atonement made once for all. The Bishop then would say that justified Christians are *accounted* righteous in consideration of a righteousness not their own ; Mr. Newman, that they are accounted righteous, inasmuch as they have been *made* so, through Christ’s Righteousness inwrought into them. God, accordingly, “ looks upon them in mercy ” as *really* holy, as exhibiting the “ Mind of the Spirit,” and reflect-

* Sess. vi. c. 2.

† Sess. vi. c. 7.

ing His own Image. "And from that time forth all the Christian's thoughts, words, and works, as done in the Spirit, are acceptable, pleasing, just before God, and whatever remaining infirmity there is in him, that the presence of the Spirit hides. That Divine influence, which has the fulness of Christ's grace to purify, has also the power of Christ's Blood to justify."

And thus the "righteousness of the Law" (that is, of the Eternal, Unchangeable Moral Law of God) admits of being "fulfilled in those who walk" (in their new strength) "not after the flesh, but after the Spirit." They are empowered to do *good* works; for to these they have been "created anew;" not natural works, which are at best corrupt—not legal works, which are still unsanctified by the Blood of Christ—but Christian works, "works of the Spirit"—works which serve to Justification, as performed in virtue of our new nature, and are therefore gifted with a Divine property; our Heavenly Father being of such exuberant goodness as to reward, and not merely accept, the fruits of His own Grace.

So far from neutralizing or degrading the office of our Lord, surely this doctrine recognizes in addition, what the other tends to obscure, the *work of the Holy Spirit*.

First, it leaves in their full, unimpaired force, all those texts of Scripture which speak of Justification as wholly *gratuitous*, "not of debt but of grace." God takes us, originally, into His favour, irrespectively altogether of any work of ours. This great doctrine is clearly expressed by the Council of Trent. "*Gratis justificari ideò dicimur quia nihil eorum quæ justificationem præcedunt, sive fides, sive opera, ipsam Justificationis gratiam promeretur. Si enim gratia est, jam non ex operibus; alioquin, ut idem Apostolus inquit, gratia non est gratia.*"* This is most powerfully brought home to the mind in the case of Infant Baptism. Here, the recipient of the greatest blessings, which it can enter into the heart of man to conceive, even the translation from the kingdom of Satan into the Kingdom of Christ, and the transfiguration of the whole nature from a state of moral and spiritual debasement and helplessness into one capable of performing the achievements of Saints, and inheriting the glory of Angels, is too young to be a party in a mutual transaction, too young to be any thing but the unresisting object of unconditional mercy. It is in vain to urge that the *sponsors* are its representatives and substitutes in an act of engagement; that it is blessed, in consideration of vicarious promises, and in anticipation of prospective services; when sponsors, our own Church being judge, are not necessary to the validity of the Sacrament. Indeed, it is not a little remarkable that those who are most strenuous in asserting

* Sess. vi. c. 9.

the freedom of Divine gifts, should be the most apt to regard the Sacrament of Baptism in the light of a mere *covenant*. Such a view, however, is plainly at variance with the doctrine of the completeness of Infant Baptism, without the sponsorial engagement. Nor is the freedom of the grant of pardon and justification less real, even though less palpable, in the case of *adult* Baptism. The candidate for Baptism, at whatever age, comes to the Church as one "naked, and blind, and miserable;" with an entire renunciation of all "works done before justification" as any ground of *claim* upon the Divine mercy. Not, indeed, that the character of these works is matter of indifference (that were to confound the essential distinction between right and wrong); not but that the right use of opportunities in an inferior state must ever be the way to "more grace." Yet when the question is one concerning, not meetness, but merit, it may safely be pronounced that the best actions of the unregenerate are nothing worth, and so that baptismal justification, whensoever vouchsafed, is of faith, and not of works—of grace and not of debt.

But the Christian, once justified without works, is maintained in a justified state *by* works. The conveyance of power is simultaneous with the grant of pardon. He is not justified once for all when he is *pardoned* in Holy Baptism; he is not saved, but put into a state of salvation; and good works are the condition of his remaining in that state and attaining to all its privileges. He has not merely been snatched from wrath "as a brand from the burning," but a justifying *principle* has been implanted within him, even the Spirit of holiness, who gives him that "which by nature he cannot have," the capacity of "doing works pleasing and acceptable to God." Whether, then, the condition upon which his *final* acceptance depends, be characterized as a lively faith, or as works which come of faith, is immaterial. In the one case, we name the prolific seed, in the other the mature and congenial fruit. If the faith do not issue in works, it is not lively, and so not (yet) justifying; and if the works be not based upon faith, they are not yet good, and so do not justify. In the meantime, our Lord is, surely, from first to last, "the sole Meritorious Cause" of Justification. He has pardoned in Baptism *without* works; and, if we can now do good works, it is wholly through the Spirit whom He received for us, when He ascended on high. The works, indeed, of the justified Christian differ from the works of the Christian before justification, as light from darkness; but it is Christ alone who makes them so to differ. Call them what we may, holy, justifying, saving, meritorious, still in exalting *them*, we are, after all, but exalting *Him*. If they be holy, it is of the Spirit whom He has sent; if justifying, it is through His Righteousness; if saving, it is in virtue of

His Blood transfused into them ; if meritorious, it is through His exuberant Merit, in which all His Body, and all the acts of every member of His Body, participate. And this is the doctrine which is said to dishonour our Lord !

On the other hand, is the antagonist doctrine equally clear of a similar imputation as respects the work of the Holy Spirit ? Only consider what the Bishop of Chester's statement involves ; that *regenerate* man is incapable of earning God's favour by obedience. The only difference, according to his Lordship, between the justified and unjustified is, that the former have "faith," and the latter have not. And this faith he considers as a preservative against, not the *power*, but the *effects*, of sin. The highest aim, then, of a Christian, according to this view, will be not growth in holiness, but the mere pardon of sin. He can never rise above his original level. So faith be present, sin will not be *precluded*, but only blotted out as it occurs.

Now of *infirmities*, or (in Catholic language) *venial* sin, all this no doubt is, by God's mercy, most true. If we be "in the light, the Blood of Jesus Christ cleanseth from all sin," for we are still "in fellowship one with another," and so with Him. We are thus in the body, and so participate in the life-giving virtue which circulates through it. But the Lutheran theory admits of no distinction between sins, and so extends this promise to the case of *all* sin. A Christian, then, may, according to this doctrine, commit *mortal* sin while yet "in the light," and that even many times ; and, because he has "faith," therefore with impunity. Thus no sin can be mortal where there is faith ; the only mortal sin is the want of this faith ; the absence, that is, of a principle of virtue which, even when present, is so shallow as to co-exist with continual lapses, even into *mortal* sin.

This fearful doctrine is actually, as we believe, to a very great extent, undermining the foundations of Christian holiness in our own country at this moment ; lulling a large, though, as we thankfully believe, a decreasing, number of votaries, into a fatal security ; issuing, in the case of persons who are removed from the check of public opinion (especially among dissenters) in a great deal of positive immorality ; and, in the higher order, especially of the female sex, in laxity and self-indulgence, all the more dangerous, from being combined with self-complacent thoughts, and a self-deceiving phraseology.

That a doctrine should tend to holiness of life, which continually sets before men, not their power in Christ, but their powerlessness by nature ; and which, instead of encouraging them to hope for a victory over sin, prepares them for a series of inevitable defeats, we should certainly have thought abstractedly

improbable. In vain do its advocates protest against the unfairness of imputing to it an immoral tendency. Antecedently to experience, and independently of all results, it carries its condemnation on its surface. This justifying faith is *admitted* to co-exist with the repeated triumphs of mortal sin, and to live, as it were, through them. It is surely no calumny to speak of a doctrine as unfavourable to high holiness, which starts with the assumption, that such holiness is a chimera. Does human nature, "yea, even in the regenerate," present so firm a front against the hosts of evil which are "confederate against" it, as to be superior to the natural consequences of a system of teaching which confessedly *reconciles* it to failure?

And, when from probabilities we come to facts, the case proves to be just what might have been expected. The complete *assemblage* of evangelical virtues never was, and never will be, realized except in connection with Catholic and Sacramental doctrine. And, besides that the Christian character is made up not of many, but of *all* the requisite graces, so it is, that the combination of all holy tempers is an essential condition of the "perfect soundness" of each. Even a heathen moralist could see, that, where there is one perfect virtue, there will be all; and so, that where any is wanting, none will be perfect. In the same way, under the Gospel, the Saints are ever not only pure, but humble, not only humble, but reverent, not only reverent, but kindly affectioned; they "*add* faith to virtue, and virtue to knowledge, and knowledge to godliness," and so on through the whole circle of graces enumerated by the Apostle. And all these graces run, as it were, like the prismatic colours, into one another, so that each seems to depend for its unequalled beauty, upon its association with the others. It is true, indeed, that they are *matured* one by one; still the Saint is ever "pressing on" where he has not "already attained." It is far otherwise with those who disparage Sacraments. Not merely are they, as a body, wanting in certain essential requisites of the Christian character, (this even a Saint may be *for a time*,) but they *acquiesce* in their deficiency. Hence they are apt to be marked, from first to last, by some great and conspicuous failing. Either they are vain, or they are covetous, or they are uncharitable, or they are ambitious, or they are irritable, or they are lazy; and they go on, year after year, without exhibiting signs of improvement. We are speaking not directly of individuals, but of classes, whose faults or excellences are more immediately due to the system under which they have been trained. And we are entirely prepared to join issue with the advocates of the anti-sacramental theory upon the question of *results*; and to maintain that, if Christianity consist not

in fair words but in vigorous deeds, not in a religion of "fits and starts," but in a humble, conscientious, and consistent walk; not in certain "good points" or amiable traits, but in a certain spirit of mind diffusing itself through all conduct; not in a graceful use of prosperity, but in the power of bearing up under difficulties; or, to sum up all, in a character which is armed at all points, and adequate to all emergencies, and this not now and then only, but on the whole, and in the long run, then must we contend that no doctrine is capable of producing such results, but that which was the fruitful source of Christian saintliness for fifteen centuries before the name of Protestantism was broached, or the notion contemplated, in the Church of Christ.

We have in the preceding remarks contented ourselves with *stating* the opposite views of Justification. For the *Scriptural evidence* of that to which the Church has ever borne her witness, we must refer the reader to the series of Sermons in Mr. Newman's fifth volume (p. x—xv), of which we have here endeavoured to give a most imperfect outline. The profusion of texts by which his argument is sustained and illustrated, forms, we are obliged to say, a very striking contrast to the miserable display of Scriptural proof on the other side.

It may be well to observe that Mr. Newman has bestowed (by anticipation), in the Sermon entitled "the Law of the Spirit," considerable attention upon an objection which seems fairly to press upon the mind of the Bishop of Chester; viz. "How can we be said to *fulfil* the Law, since we do not, and cannot, obey *perfectly*?"

To conclude. It is very painful to speak of a view as essentially adverse to high Christian holiness, which numbers good men among its advocates. Facts, indeed, of this kind prove nothing for the doctrine itself, except it can be shown that the goodness of its professors is in *consequence*, and not in *spite*, of their profession. To our own feelings we confess that Lutheranism seems to sit uncomfortably upon the Bishop of Chester; to be *in* his mind, rather than *of* it. His earlier works (especially the Eton Sermons) strike us as vastly superior to the later in that indescribable quality of composition which shows a writer to be *possessed* of his view. This may be mere fancy; but, at all events, we shall be excused for attempting to devise some account of the phenomenon, that a doctrine, which we believe to be always in tendency, and generally in effect, presumptuous, ostentatious and lax, should be found in actual combination with appearances of meekness, simplicity, and conscientiousness, which may well afford an example and a warning to the maintainers of a stricter rule.

ART. III.—*The Biographical Dictionary of the Society for the Diffusion of Useful Knowledge.* Vol. I.

BIOGRAPHY, in relation to the distant past, is as the microscope to the secrets of nature. Biography enables the inquirer to detect those little springs and wheels, which, from their minuteness, would otherwise elude observation. However apparently insignificant, it was this hidden machinery which produced those astounding results, with the recital of which history so frequently amazes us. Biographical researches, therefore, are to the historian, what microscopical observations are to the student of nature;—they lay bare hidden things, and elucidate phenomena which, without such aid, would remain for ever inexplicable. The greater therefore the care with which such researches are instituted, the more we see with our own eyes, and the more faithfully we describe what we have seen,—the more valuable will our labours prove. With this test in hand, we proceed to examine a series of biographies of the lives of the *Rabbis*, in the first part of the volume before us.

The first point which arrests our attention, is the arrangement pursued. Every one knows the importance of a strict adherence to alphabetical order, in such works of reference; for, without such order, the inquirer is subjected to great loss of time, and, in some cases, he fails altogether to discover the object of his search. Now we must confess our inability to discover, in the book under review, whether the order followed is that of the *prænomen* or the *cognomen*. Should the latter be inferred, we are soon undeceived by the omission of such names as Judah Abrabanel, Moses Aben Ezra, &c., which would else have obtained rank under the letter A., by the initial of their *cognomina*. If the *prænomena* be supposed to determine the order of sequence, that supposition is at once disproved by the omission of well known *Rabbis*, and other illustrious individuals, whose place would else be found under the letter A—such, for instance, as Abraham Farissal, Abraham Gher (De Rossi), Akibar Eiger (vide his biography by S. J. Kaempf, his pupil), Aaron Chorin (vide *Jeled Zekunim*, Vienna), Abraham Cologna,* Abraham Furtado, and some others. If it be imagined that the biographer has followed either arrangement, preferring the name under which the individual is best known, the absence of such names as Aben Shoeb, and others (vide these lives in De Rossi's *Dizionario Storico*), will set the inquirer at fault again; and while Isaac Abrabanel is found,

* A modern Rabbi of that name.

Judah Abrabanel is wanting: while Abraham Aben Ezra is found, Moses Aben Ezra is omitted.*

The second point which startles us, is the lavish manner in which the biographer bestows the rank of Rabbi. The title, by courtesy, might readily pass, but when he says that such an individual was "a celebrated Rabbi," he forgets that such can only be said with propriety of a theologian presiding over a congregation. Now it is notorious, that but a very small number of those whose records are preserved by history, have been Rabbis; most of them have been literati, occupying private stations. It was an error, therefore, of the learned Wolf, in his *Bibliotheca Hebræa*, to attribute the rank of Rabbi to so many learned Jews; but that error has been pointed out; and a modern biographer ought to have learned from De Rossi, to distinguish between a Rabbi and a private individual. To transcribe errors long discovered, is to foster that confusion which error begets, and which criticism labours to remove.

The next defect which catches the eye, consists of the numerous typographical errors, which are permitted to pervert Hebrew words, represented by English characters. Indeed, so numerous are these errors, that there is scarcely an article free from them. Sometimes, it is true, the mistakes are harmless, and cannot mislead the Hebrew scholar; but at other times, they altogether change the sense. For instance, we find "Teluph, instead of "Cheluphe (Aaron ben Asher); "Shubbath, instead of "Shebuoth" (Aaron Cohen); "Hammuckbar," instead of "Hammubchar" (Aaron Harishon); "Lechat Hackmah," instead of "Leket Hachachma" (Aaron Lap); "Ikksim," instead of "Ik-karim" (Aaron Pisauensis); "Doshen," instead of "Choshen (Aaron ben Moses). Nor are even the names of places, as they are known in European languages, free from like errors. Thus we find "Nagd" in Bohemia,—its German name being "Nachod" (Abraham Elias ben Nathan); "Glogau" is said to be a city of "Bohemia!" whilst it is a well known city in "Silesia" (Aaron Samuel Kaidenover). In the same article, a place is called "Niklasburg;" most probably "Nickolsburg" in Moravia, is intended.† Errors like the foregoing will indeed confound the student; it is true, some of them may be attributed to the printing office, but others can hardly have been committed there. A compositor could scarcely mistake n for b, and put "Hatzbea

* We are bound in candour to say, that this extraordinary want of order does not appear to characterize any portions of the Dictionary except the biographies of the Rabbis: and our censure, therefore, must be regarded as applied to that portion only.

† This whole article is replete with errors.—אב בית דין, translated by Wolf, pater domus judicii, is here rendered "chief preacher."—Sic.!

Leket," for "Hatznea Lechet" (to walk humbly); "Zajith Raa-ban," for "Raanan" (flourishing olive tree—(Abraham Abli); or b for ch, and put "Chothem Tabneth," instead of Tachnith" (sealing of the sum)—(Abraham Badreshi); but an inexperienced Hebraist might be more easily misled by the similarity of the ל and נ; the ח and פ; the ד and ר, and the like. Mistakes like these will strike the most superficial reader;* but the work contains other defects, of more serious import, and less easy of detection. We find explanations attempted of various Jewish customs, ceremonies, and doctrines, scarcely to be grounded on any Jewish authority soever. Various biographies, and occasionally interesting ones, are altogether omitted. Statements are made of individuals, and works are attributed to their authorship, which, though excusable in the times of Bartoluccio, and Wolf, have been conclusively disproved by later and more searching criticism. Interesting particulars, recently developed, are no where to be found; and it is but too manifest that no original sources, and none of the researches of others later than those of De Rossi (his *Dizionario Storico* appeared in 1802), have been turned to account. To illustrate at suitable length, these various defects under the heads just enumerated, would require more leisure, and a larger library than we now have at hand. We therefore offer the following specimens, as a mere selection, out of a large mass of similar errors.

We are presented with the following explanation of חבוט הקבר in the biography of Abba ben Shelomo Bumsla. "He is the author of the work called 'Sur† Hannishama,' (of the hidden things of the soul) in which he treats of the soul, of the sepulchral percussion, &c.;" and in a note we find, "for information on this ceremony (!) which by the Jews is called 'Hibbut Hackibber,†' read Elias the Levite on this word; and, among Christian writers, Buxtorfius, *Lexicon Talmud.* 698; and, above all, Zach. Gropius "in his dissertation 'De Percussione Sepulchrali ex Judæorum, et Muhammedanorum Sententia. Rostock, 1699.'" Now this note has been translated after Wolf, under the same article, wherein he says, "De illa, quam חבוט הקבר appellant, ex Judæis lege Eliam Levitam in Tisbi, hac voce, &c." To call

* It would be easy to multiply instances; — such as "Cherushem," instead of "Chidushem" (Aaron the Levite). The former word would be derived from חרש (cutting or carving) instead of from חדש (new).—We find "Pirche Aboth," instead of "Pirke Aboth," (Aaron ben Samuel); the "Blossoms of the Fathers, instead of "the Sections of the Fathers;" "Kinoth Meharam," instead of "Kinoth Setarim."—(Abraham Galante.)

† For "Sur" (turning aside), read "Sod" (secret)—a mistake of ד for ר.

‡ Should be *Chibbut Hakkeber*.

Chibbut Hakkeber, a "ceremony" (certainly not warranted by Wolf), is to declare it a practice observed by the Jews; but though the biographer quotes Elias Levita, Buxtorf and Zach. Gropius, yet we are satisfied that it is no ceremony at all, but merely a cabbalistic belief, which, as Zach. Gropius justly observes, is shared by the Mahometans. According to that belief, an angel awakens the corpse after burial, by knocking upon the tomb, in order to call it to account. It was the not having correctly understood even Wolf, which led our biographer into this error.

In the life of Abraham ben Isaac Chajut, we are told, that "פר"ס 'Paradise' is a cabbalistical word, formed by the cabbalistic 'Notaricon,' from the initials of four other words, 'Phe-shat' (פֶּשֶׁט),* 'he drew,' 'Ramas' (רָמַז), 'he hinted;' 'Dejash' (דֵּיֶשׁ), 'the treading out,' as of grain in the threshing floor; and "'Sur' (סוּר), 'a departure or transfer;' by which four words the Jews are accustomed to mark the different senses in which the Scriptures may be taken, &c." The Rabbinical scholar will be no little startled at this explanation, after having been accustomed to regard the two letters, ד and ס as the initials of (Derash) דִּרְשׁ, *Inquiry*—and (Sod) סוֹד, *Mystery*. Indeed, so well known is this "Notaricon," that it may be heard in the mouths of the merest boys in Talmud schools! The origin of this singular misconstruction deserves some research, and if we are not mistaken, it may be discovered in the following remark of Wolf, under the same head. "Per פר"ס significant Judaei, diversas, qui ex scriptura deduci possint sensus, nempe פֶּשֶׁט רָמַז דֵּרֶשׁ סוֹד." Now by accident, the compositor has probably mistaken the ד of דִּרְשׁ in the MSS. (made by chance rather a small one) for a פ which it would resemble; and, in like manner, the ד of סוֹד in the MSS., for a ר (often done.) These misprints may have been overlooked by the corrector for the press; and thus the biographer, reading, "Dejash," and "Sur," has consulted a dictionary for those words, and given the significations which he there found. This supposition, though highly probable, is no more than conjecture on our part, and we cannot assert that the biographer has nowhere found a precedent for these errors; for we are aware, that in the treatment of Rabbinical literature, even the greatest scholars of the Christian faith have made gross blunders, the great Buxtorf not excepted. Were it not out of place here, we might present a few specimens of these blunders, which one author after the other has copied; many of them are exceedingly ludicrous. Those who wish for further proof, may consult Rap-

* Probably *Peshat* (simple, obvious); and *Remez* (hint or allusion).

passport, the life of R. Nathan Baal Haaruch, in the **בכורי העתים**, and "Geist und Sprache der Hebräer," by M. L. Landau.

In the biography of Abraham ben Avigador,—**באור** (explanation) is derived from **אור** (light)! We should like to know by what rule or analogy this derivation is maintainable. So far as we know, it is a neo-Hebrew word, derived from the verb **באר** (to explain), as may be learned from every Hebrew dictionary and concordance. In the biography of Abraham ben Chajim Lishkar, we are told, that "the third part (of the "Mishna) " 'Nashim,' or wives, treats of the laws of matrimony, as well as "those of religious celibacy." The latter part of this statement is conspicuously erroneous. Celibacy is so far from being regulated by the Rabbis, that marriage is made one of the first religious duties. (Vide any enumeration of the **תרי"ג מצות**); nay, even a barren marriage, after a certain period, was regarded as sufficient ground for divorce. Religious celibacy has not the slightest warrant from Judaism, and it is therefore nowhere treated of. In an explanatory note to "Abraham Chassekuni," we are told, "Tosephoth are supplemental books to the Talmud, written about the same time with the commentaries of Rashi." Now apart from the erroneous assertion that the Tosephoth were written about the time of Rashi, (vide the biography of the latter by Zunz, in his *Zeitschrift*), the Rabbinical scholar can only smile at the declaration, that, "Tosephoth are supplemental books to the "Talmud;" knowing, that at the time of Rabbanan Sabburai, (**רבנן סבוראי**) the canon of the Talmud was closed, and nothing has been since permitted to be added, (vide the introduction of Maimonides to his *Yad Hachazaka*); and moreover, that Rashi, who flourished before the authors of the Tosephoth, died in 1105, whilst the last Gaon, died in 1038. (Vide Wolf, De Rossi, or any other author who has written on the lives of the Rabbis.) The Tosephoth (additions) are really *glosses* to the Talmud, and of various characters; sometimes explanatory, sometimes objective, at others argumentative, and so on.

In the life of Abraham Grate, the "Haggada shel Pesach" is explained as "the Annunciation, or Mystical Exposition of the Passover." Now, though we have very frequently read the Haggada, we have never discovered any mysticism. It is true that various mystical commentaries have been made on it: but a mystical commentary does not necessitate a mystical text; otherwise Scripture itself must be declared a mystical book, on account of the numerous expositions of that character which have from time to time been promulgated. We remember but a single page in the Haggada which can be made to present a colour of mysticism,—it is that commencing with "Chad Gadyah;" but

at the utmost, this is no more than an allegory, as every unbiassed reader will admit. (Vide various translations; among the most familiar, that furnished some weeks back in Chambers' Edinburgh Journal.)

Under the head "Abraham ben Majimon," we find "Tizzith" (instead of Tsitsith) called "the golden fringes of the priests' garments." Is it possible, that any one familiar with the Pentateuch, can be ignorant that the "Tsitsith" are fringes, to be worn by *all* Israelites (not merely by the priests), and that these fringes were never of gold!

Supposing that the order of the prænomena had been that pursued, as appears probable from the majority of cases before us,—an order pursued by Wolf, and others, and having many precedents in Rabbinical treatises and general custom among the Jews,—we find missing, besides the comparatively recent names previously referred to, very many eminent men who flourished in remoter ages; such as Abraham ben Sahal, (vide Leo. Africanus); Abtalion, (Pirke Aboth, section 1); Abaii ("אבאי") so frequently mentioned in the Talmud, (Aruch Abaii); Aaron Worms, (Israelitische Annalen, 1839, p. 390,) &c. &c. It is true, the silence observed in some cases might be excused, on the plea that the authors have not deserved a notice; but this can certainly not be maintained with respect to many: Akiba Eiger, one of the greatest Talmudic scholars of this age, it is true, is recent; but whether Abraham Gher, and Abraham ben Sahal, claim notice in a biographical dictionary, may be judged by the account of their interesting lives, which we shall append to this review.

By way of exemplifying the biographer's erroneous statements, we adduce the following. Under Ada bar Ahaba, we are told that this Talmudic teacher is the founder of the Jewish Calendar, as at present followed. Such was doubtless the opinion of some Jewish authorities; and being adopted by Bartoloccio and Wolf, it has been transcribed faithfully by their copyists. It is now, however, considered proved, that the computations upon which the existing calendar is founded cannot be more than 900 years old. They may have been the work of some one bearing by chance the name of Ada bar Ahaba; and hence he has been confounded with the Talmudic teacher, who flourished about the year 219, C. E. (Vide *כרם חמר* for the year 1841, seventh and eighth letters.)

Abu Alpharag, is called "a Karaite, or Sadducean." This confounding of Sadduceeism with Karaism has not the slightest warrant. The Sadduceans, as every reader of the gospel knows, were a sect existing in the time of the second temple; and denying the doctrine of the resurrection. The sect is also frequently

spoken of in the Talmud, (vide for instance, Sanhedrin 90; Aboda Zara 181,) and soon became extinct. The Karaites, on the contrary, are scripturalists, agreeing on the point adverted to with other Jews. This sect, despite their claim to a higher antiquity, sprung up at a much later period. It is true, some of the older writers do not sufficiently distinguish between these two sects, but the moderns have been more accurate. (Vide **דוד מרדכי**. Jüdische Sekten, by Peter Beer.)

Of Abraham ben David, it is related, that "his body was committed to the earth, with great honour, by the Priests of his people, and he was called 'Or Gadol,' (a great light)." Reference is made to Wolf, and to a Latin translation of **שבט יהודה** by Gentius. This statement must necessarily be false, since priests (descendants of Aaron), are not allowed to approach a corpse, and they do not, to this day, enter a burial ground, (vide Levit. xxi. 1—6.) Having referred to **שבט יהודה** (Amsterdam edition, p. 55) we find, **והכהנים חפרו את קברו** "the Priests *digged* his grave." Though nothing is mentioned, it is highly probable that the place of his interment was newly consecrated as a burial ground; in such case the Kohanim are accustomed to dig the first grave, and the honours may have been the usual ones connected with a consecration; otherwise, as is well known, Kohanim never *inter* the corpse, if other Jewish assistance is to be had.—The passage in the **שבט יהודה**, has no reference to any exception laid down in Yoreh Deah, Hitchoth Abeloth. Again, we do not understand on what authority the biographer states, that Abraham ben David was hanged by command of Henry III., in 1391. Wolf, who makes him identical with Abraham ben Dior, is right in saying, "Regis Hispaniarum jussu suspensus obierit," but the biography under review differs in this particular from Wolf, and has no pretence for making *Ben David* die a violent death:—nay, the **שבט יהודה** (ibid.) expressly states **ובשנה ההיא (קנט) נתבקש אברהם בר דוד ערב שבת בישיבה של מעלה המאור הגדול ר'** "In that year (5159), that great light,* R. Abraham ben David, was summoned to the throne above, on the eve of Sabbath, and the priests digged his grave."

Abraham Kabsi is made to appear identical with Abraham Gaon. The biographer should not have been so positive of that. True, several of the elder writers, and Reggio among the moderns, hold that opinion—(vide **כרם חמד** vol 11, p. 40,—it contains also some curious particulars of the art practised by Kabsi), but R. Nathan Baal Haaruch makes them two distinct persons (vide

* Hammahor Haggadol, the scripture phrase, as usually applied in such cases and not "Or gadol," as mistated in the article before us.

Aruch, under סה), and we have, moreover, the weighty authority of the profound Rappaport in our favour, when we venture to hold the opposite opinion. (Vide Life of R. Nathan Baal Haaruch, in בכורי העתים for 1829.) At all events, the biographer should have stated fairly the existence of another opinion.

Under R. Achai Gaon, is found a statement, that we possess his work "Sheelthoth;" whereas we have but an extract of it. (Vide Life of R. Nathan Baal Haaruch.)

Under Aaron Ben Moses, "Teshuboth Haggaonim" is translated "excellent answers,"—a gross error, implying no slight extent of deficiency in the Hebrew. Every beginner must perceive that תשובות cannot be an adjective; since the noun תשובות is without an article, and feminine, while the following word, if an adjective, could not have had the article, nor been of the masculine form. "Gaonim" here is the title given to the successors of the Rabbanan Sabburai, (Presidents of Colleges in the Persian empire—v. Zemach David); as for instance, R. Hai Gaon; R. Achai Gaon, &c. The word Gaon itself is derived from גאה, and signifies sublimity. "Teshuboth Haggaonim" therefore signifies "answers of (or given by) the sublime or exalted ones," (i. e., the Presidents of the Persian colleges.)

Under Abdias Bartenora, it is said, "Of the time at which 'this author lived and wrote, we find no notice." Now we beg to differ on that point, and to state that he lived towards the close of the fifteenth and the beginning of the sixteenth century, and that he died Chief Rabbi of Jerusalem in 1530. (Vide De Rossi.)

Under Abraham Koesfeld, we read "Selidoth upahazmonim, (consolations and strengthenings.)" No dictionary can have suggested such a rendering. The Hebrew words should be written "Selichoth upismonim"—סליחות signifies, pardons, or, in this case, prayers for pardon—פזמון is not Hebrew, but of Greek origin; viz., from ψαλμος, with the French formation, *Pseume*, to which probably a נ has been added, to assimilate it to the Hebrew. The word signifies, as its origin bespeaks, *song*. This error is the more remarkable, because Wolf's Latin version, which the biographer has translated,* (sometimes he mis-translates) into English, is "precationes et cantiones."

* An amusing instance of these mistranslations may be found under Abraham Hurwitz, the Levite, where Wolf having translated יש נחלין (not "the first words of the book Baba Bathra," but of its eighth section) sunt hæredes, the biographer,—not comprehending the allusion,—renders the words "they are heirs." Sunt, it is true, signifies "they are," but also "there are," as Wolf here intended. Those who deem the difference between these renderings slight, may read the passage alluded to in the Hebrew, or in the translation of Suhrenhusius, and they will discover that the false rendering has no sense at all;—other no less amusing misconceptions are discernible elsewhere.

Under Abraham Usque, we find no mention of that curious, rare, and highly interesting edition of the Pentateuch, from which De Rossi makes valuable extracts in the eleventh chapter of his "Commentario storico de typographia Heb-ferrariensi." Since this individual owes his claim to notice, exclusively to his careful editions of useful works, such a publication ought not to have been unnoticed.

Abraham ben David, of Kirjath Jearim.—"Kirjath Jearim," is said (probably on the authority of Bartoloccio) to be a city of Palestine. (Joshua, xv. 9.) The city of Nismes, in the south of France, is meant. So is it with Jarchi ירחי, from ירח, the moon; (Luna the moon), meaning an inhabitant of Lunel, in France; omitted to be explained under Abraham ben Nathan Jarchi. So is it with Abraham Mahabar; (מהבר) should have been rendered "of Montpellier in France," (from the Latin Mons.)* (Vide life of R. Elieser Hakalir, by Rappaport, in the בכורי העתים for 1829—כרם חמד, vol. vi. p. 10, and vol. v. p. 3; also Israel. Ann. 1839, p. 86.)

Seeing to what a length our review has already extended, and believing that we have sufficiently substantiated our charges against the rabbinical biographies of this work, we omit, for the present, to point out other serious mistakes, or to review the second part of the volume. In concluding these remarks, we can only regard the whole series of articles to which they refer, as nothing more than a translation of the Bibliotheca Hebræa of Wolf. In the second volume, however, we perceive references to De Rossi: let us then hope that later portions may prove so much the less defective: for we regard the biographer's introduction of De Rossi, as an indication that he is making the acquaintance of other authorities, besides those used for these first and second parts. Zunz, Rappaport, Geiger, Reggio, and other profound rabbinical scholars, have, since De Rossi, achieved much in this field. We suggest to him also, the utility of consulting the biographies contained in various periodicals of modern times: such as the ציון; the בכורי העתים; the כרם חמד; the Israelitische Annalen; the Zeitung des Judenthums; the Orient; the Archives Israelite; Geiger's Zeitschrift; Zunz's Zeitschrift, &c.; and as he may become a Hebrew scholar in time, (On devient forgeron en forgeant), we will hope to find his defects diminish progressively, and the reviewer's task a less unpleasant one than our duty has now imposed upon us.

* That this is the proper signification of Mahabar is certain; vide the conjectures as to its signification by the biographer.

ART. IV.—*Le Rationalisme Chrétien à la fin du XIe Siècle, ou Monologium et Proslogium de S. Anselme : traduits et précédés d'une Introduction par H. Bouchitté, &c. Paris. 1842.*

IN the efforts of the reforming party in the Church in the eleventh and twelfth centuries, one of the most prominent points, as every one knows, was their pertinacious war against the practice of laymen investing clergymen with church benefices and offices. For nearly a century this was the cause of strife, the *fons malorum*; in the eyes of churchmen, the unendurable grievance, the foul and deadly abomination which darkened their day, the all but heretical corruption which foreboded Antichrist. It was a slight matter in itself. A ceremony—a trifling act of state and show—a form, symbolical in its origin, of simply arbitrary and disputable meaning, by long practice come to be a mere matter of course; a technicality of feudal etiquette—the delivery of a gold ring and a bent staff by a layman to a priest—this was the point in debate—this it was which employed the lives of such men as Pope Gregory VII. and the Emperor Henry IV., and threatened to shiver Christendom into fragments, soon to return to their old barbarian heathenism. But what seemed the cause was only the symbol of the quarrel, a serious and real one. As in many other instances before and since, principles which were life or death to the world had attached themselves to some paltry fragment of human pageantry, some device or fancy of the hour, thenceforth the gage or prize of battle, and were to stand or fall with it. The fate of Europe, perhaps of the Church, hung on the decision of the investiture question. It was the struggle—a confused and entangled, but a real one—of faith against self-will—of purity against lawlessness—of spiritual power against force and the sword.

This and no other, as far as man can separate and oppose parties and their motives, is the meaning of the contest in those times between 'royalty and the priesthood,' as we should now term it, between Church and State. The Church could not reform itself—could not do its work—could not insure its own permanence in Europe, while its present relations to the rulers of the world, the growth of three hundred years of misdoing, continued; if it was to hope for purity it must strive and suffer for liberty. And by the joint instinct of both parties the issue was put upon the question of lay investiture.

This issue was first raised in England by St. Anselm, a name already known to our readers; and we intend in the present article to give a sketch of the contest upon it. But the subject itself of investiture, though we cannot pretend to go fully into it here,

requires a few words to trace its connection with the great struggle in which it was so prominent a feature.

In the tumultuary beginnings of society in modern Europe the claims of the Church and the barbarian kings, both equally great, ran side by side, clashing or in turn prevailing by the force of circumstances or personal character, without any serious attempt, as there was no pressing need, to harmonize or guard them. Thus it was till the union of Western Christendom under the empire of Charlemagne. This great event was, as it were, a new beginning to European history. His empire was a mighty religious monarchy, which aimed at reviving in Christian times and on a grander scale, the kingdoms of Solomon and Josiah—a power thought to be received by consecration from above as truly as the priesthood—the guardian of the Catholic faith—of truth, duty, and peace among all Christian men. It rose among the new nations of the west, awakening ideas, and opening prospects hitherto unknown to them. Then for the first time they realized their own greatness and dignity; they had not only conquered Rome, but inherited her grandeur. Till Charlemagne they had felt themselves intruders—they called themselves barbarians. But now the ‘glorious and religious emperor of the Christians,’ so valorous, so wise, so potent that he overshadowed all the old heathen Cæsars, was one of their own blood and language: he had been crowned at Rome, “the Mother of the Empire, where Cæsars and emperors were wont always to sit”—they had seen the ‘worship,’ and heard the acclamations of the Roman people—“*Carolo Augusto à Deo coronato, magno et pacifico Imperatori, vita et victoria.*” He became to them as a national ancestor, a sort of mythic hero, sung in legends which took their place among those old songs—*barbara et antiquissima carmina, quibus veterum regum actus et prælia canebantur*, which he had loved so much himself. Aix-la-Chapelle became almost a hallowed city. He had fixed and embodied to Europe the idea of Christian royalty, and was henceforth its great model and type.

The idea of Charlemagne’s empire was a severe all-absorbing despotism, serving the cause of justice and the Christian faith—set up not for mere secular government, but in order to make earthly power bend to the revealed designs of God. The emperor bore a sacred office; he was the “figure of God’s majesty,” the image and instrument of God’s power—power without stint or appeal, guided by inflexible goodness. He was raised up to be the *advocatus ecclesiæ*: to his honour and good sword was committed the Bride of the Holy One while sojourning on earth; for her safety and purity his imperial faith was pledged. Nations and individuals—the whole multitude of the faithful,

small and great—the Church, in her spiritual and temporal interests, were given into his hands—there was nothing for which he was not directly responsible. Bishops as well as counts “bore a part, and but a part, in the ministry which in its fulness centred in him.” And because spiritual things are above temporal, he would be betraying his trust, unless in every matter, spiritual even more than temporal, he was most jealously watchful—unless while he honoured bishops as God’s especial servants, he kept them most strictly to their duty. Hence, while their place was the nearest to his throne, while he secured their fair and free election, and gave them wealth and honour, it was he who “committed the bishoprics to their hands” before they could be consecrated: he watched over and admonished his ecclesiastical as well as his lay ‘helpers’ (*adjutores*)—holding councils with them—collecting and promulgating through Christendom the canons of the Church—inquiring into and ruling every thing, from the business of a synod to that of an archdeacon or parish vestry—points of faith, morality, discipline, ecclesiastical convenience—the Catholic creed, names of angels, apocryphal works, festivals and tithes, furniture of the altar, church building, the use and preparation of chrism and holy water, the duties of the confessor to his penitents—publishing in juxtaposition laws about the assembling of councils or the education of the people, and regulations that ‘priests should ring their bells at due times,’ that ‘scribes should not write faultily,’ and that ‘no man should force another to drink wine against his will.’

Thus did Charlemagne read his commission. A theory in strong hands is or creates what it supposes; and, with the allowances required by every age and every kind of rule, he was a true and earnest Christian emperor—his monarchy looks still, as the Middle Age Church considered it, a providential order. But his great and leading idea, the empire of *Law* based upon the Church, issuing from one, binding together and controlling men and kingdoms—his “*regnandi disciplina*,” was soon lost in the tumults and violence which were not yet to cease in Europe. His empire continued in name and theory and pretensions the same, but its religious character ceased to be a reality under his feudal successors.

In the eleventh century, feudalism, the joint result of the temper and native customs of the barbarians, and of their position in Roman Europe,* was the recognized political system of Christendom—a system daily shaping itself into greater distinctness and consistency of detail, and to whose precedents and forms every thing was adjusting itself. Its characteristic feature was vassal-

* Palgrave's *Anglo-Saxons*, c. xvii.

age, as the necessary and universal condition of social life. Where it prevailed, men were held together, not so much by public law and power as by a kind of network, a mutually connected series of personal and private ties, of a formal and solemn character, between the weak and the powerful; and a strong tie it was. There was no earthly bond between man and man more stringent in its idea than that between lord and vassal; not that between master and slave, general and soldier, king and subject—nay, even between parent and child: it ran parallel to the relation between man and wife; and accordingly the feudal law, at least in England, excused a woman from the full profession of vassalage,* “because it is not fitting that a woman should say that she will become a woman to any man but to her husband when she is married.” It was in all its forms and terms a *military* relation, supposing a state of continual war. In days when men were not born into a self-acting system of order and law, when every man must look to himself and none could stand alone, the weak could do nothing better than link himself unconditionally to one more powerful and noble, who could give him a standing-place in the confusion—to the strong there was nothing more useful than the loyal and free service of a stout vassal. Thus the lord and vassal were bound together by the honour and frank generosity of soldiers. Such was vassalage in its theory and forms, even after they had become legal fictions. ‘Between lord and man there is only faith,’ say the old feudal customs; a fief was not bargained for and sold, but given; the return was, not rents, but a man’s unstinted devotion; the formal crime which forfeited it, was ‘ingratitude.’ When the compact was sealed by the vassal’s homage, ‘the most honourable service, and most humble service, that a free tenant may do his lord,’ he came before him in the guise of a helpless suppliant, without arms or spurs, and surrendered up person and fortunes into his hands. “The tenant shall be ungirt and his head uncovered, and his lord shall sit, and the tenant shall kneel before him on both his knees, and hold his hands jointly together between the hands of his lord, and shall say thus, ‘I become your man from this day forward of life and limb, and earthly worship, and unto you shall be true and faithful—saving the faith that I owe to our sovereign lord the king;’ and his lord so sitting shall kiss him.”† The reservation at the end was no idle or superfluous one. Feudal law by no means took it as a *matter of course* that duty to the king superseded duty to the lord.

Feudalism, in spite of its generous maxims—in spite of the noble gallant character which, to a great extent justly, is associated

* Litt. ii. 87.

† Allen, *Royal Prerog.* p. 74.

with it—the compensation for the turmoil and suffering which nursed it—soon stiffened into a hard system of customary law, interpreted and administered by those who had the stoutest arm and fewest scruples. It became the strength of a great military aristocracy. And truly those noble barons were a rough sort of governors and shepherds of the people. Our poetical notions of a gay and gentle chivalry fade away cruelly, we had almost said ludicrously, before the frightful realities of European life as drawn by the Middle Age historians. *Their* picture is one of a gradation of chiefs, with their rude ferocious soldiery, posted through the country; each in his own county or honor or castlewick, able safely to do as he pleased; men of ungovernable passions, living for the stormy excitements of battle, or of their own scarcely less terrible castles; savagely vindictive, and wayward as children, holding scruples of all kinds in very unaffected contempt, and increasing their broad lands and ready money by every means in their power. Portraits of them meet us at every turn in the contemporary chroniclers. In the early years of the Conqueror, Ivo Taillebois played tyrant in Hoyland; and though the Hoylanders most worshipfully honoured him, and bent the knee before him, and paid him all the honours they could, and all the service they ought, his hard mind was not moved thereby; “he did not love them with reciprocal confidence,” but drove them out of their senses or their lands, especially the monks, against whom he had an especial spite, by his ruthless deeds—*angens et angarians, torquens et tribulans, incarcerationans et excrucians*—in very wantonness cutting off the ears and tails of their cattle, or chasing them into the fens with his hounds, or breaking their backs and legs, and so making them “altogether useless.” Such were the multitude of lords great and small, and not less redoubtable countesses and ladies, who shared in various measures whatever of power there was in Europe, and made it a hard time for all, clergy or laity, who had not a good sword to trust to. And at the head of this aristocracy, identified with its customs and feelings, battling hard with it for his place, stood the king or the emperor; no longer feeling himself the divinely appointed guardian of the Church and her canons,—though Charlemagne’s grand theory might survive, as it does still, in coronation services and court etiquette,—but the feudal chief of a confederacy of ambitious barons;—bullied by them, if weak; if strong, carrying out to the utmost the feudal maxims which favoured his power.

Charlemagne had linked the episcopate to the crown, and so it had remained; and now the crown had changed its character, and with it the episcopate had become a feudal order. Two things were the practical belief of the day; first, that a bishop was

the king's nominee; and secondly, that he was simply the king's vassal, deriving his authority from him, bound to his obedience and service, with as little qualification as a lay noble. Whatever other laws or authority a bishop had to acknowledge, his relation to the king, and the great feudal body, had a reality, a common sense palpable truth about it, a consistency with the order of things, which in matters of serious business would decide a man's conduct. It was a tie which made it mere romance and wildness for him to rebuke and punish vice, to defend the poor, to stir in good earnest against the corruption and worldliness of a system of which his lord and patron was head. For such a proceeding there would have been no name known but treason, the unpardonable crime of feudal days.

Further, the feudal relation which had grown up between the bishop and the crown, besides its influence on the episcopal office, affected very seriously the security of Church property. This became a distinct but very important point in the dispute. Part of this property was from the first given and accepted on feudal conditions; but the bulk of it was in a different case. It had been offered and consecrated to God and His service with a reality of sacrifice and surrender which we can hardly feel now,—in the most solemn way possible all earthly claim to resume it had been renounced. But in time the conditions which were fairly attached to part were extended to the whole. It was not merely charged with certain services, such as were often reserved in the original grant, but claimed for a feudal superior in the same sense as a temporal fief. The king had become not merely the trustee, but the lord of the Church lands: it might be sacrilege, but on feudal principles it was not usurpation, when on the death or disobedience of a bishop he seized the revenues of the see. To this lordship, *under the circumstances*, the king had no right. It is hard, indeed, to say in the abstract where the right over property stops in the supreme power of the state, granting that it is irresponsible; but rights are created and governed by the admitted principles of the day, and at that time it was an admitted principle, that the king was a responsible member of the Church, and that Church property was sacred. It was going, therefore, against the convictions and feelings of the time—it was indirectly regaining a hold on what he was supposed to have surrendered—it was taking away a safeguard he professed to have given—when the king claimed feudal dominion over the lands of the Church.

Of these relations, the expression and warrant was the form of investiture, with the attending homage. "Prudent antiquitie," says our English lawyer, "did for more solemnitie and better

memorie of that which was to be done, express substances under ceremonies." The 'substance' in this case was that the king gave away, not merely the royalties or the temporalities of the see, or a certain worldly honour or jurisdiction, but *the bishopric*; he put into the bishop's hands, not a sword or a sceptre, but the symbols of his spiritual functions, the ring and the pastoral staff.

Such was the state of things when the contest about investitures began, in the middle of the eleventh century. The attack on them was a new line in the Church party. Investiture was one of those practices which have their importance from the system in which they are found, altering their meaning as that system insensibly passes into another: it had begun early in connection with Charlemagne's theory of a Christian empire, and had continued as a ceremony, unopposed and unnoticed; its meaning was vague—it was sanctioned by the almost ecclesiastical office of the king or emperor; and doubtless there was many a bishop who liked the feudal effect thus given to Church dignities, who had no objection to call 'the alms and munificence of ancient kings, his barony and royal fief,' so that he might ride at the head of his chivalry—an array as brave and gallant as the neighbouring earl's whom he had to keep at bay. The Church had acquiesced in the custom, for she had seen no evil in it. Her old recognized policy against the world had been to try to check *directly* the interference of the secular power in elections of the higher clergy. So things had gone on for above 200 years: canons had been framed; princes had resisted, yielded, made promises, and broken them: bishoprics were important offices—chaplains and court-clerks were useful, were importunate, and had ready money to offer:—it was the old story over and over again; when the king was weak or threatened by danger, the theory at least of a free and canonical election was graciously acknowledged; when he was strong, laughed at. Churchmen protested loudly and hotly, or complained in secret. Still matters went on as before; but a free and canonical election was ever their hope, their watchword—the palladium of the purity of the Church—to be secured some day or other, on the faith of feudal kings, who were becoming more and more indisposed to part with any of their power, as great political objects, which gave increased value to that power, were, generation after generation, opening more distinctly to view. There could be no doubt which side was really gaining: 'free and canonical election' was becoming more and more a dream—for bishops were not merely subjects, but vassals; what had free and canonical election to do with the king's vassals? Popes and councils and divines might preach and argue and decree about it to the end of time—but the phrase had come to sound like a worn-out formula; power

was power in spite of their protests, and it was not in their hands. And meanwhile as the terms on which a bishop received his office identified him more and more with the state nobility, the very notion of a bishop became degraded and secularized.

Such seems to have been the view of the earnest and clear-sighted men who headed the movement of the eleventh and twelfth centuries. What good was it repeating year after year ineffectual claims—asserting rights which were not denied but simply laughed at—even gaining concessions which were to exist only on parchment? To restore the lost feeling of the sanctity and heavenly mission of the episcopate—the tokens and cognizances—*divini signa decoris*—which connected it with the Apostles—this was what the times required. What matter who elected, if they were merely to elect an ecclesiastical baron? Distinctly and unequivocally, before it was too late, the Church must be detached from feudalism; popular and kingly notions about bishops must be broken down—a point which would bring matters to issue must be fixed on and carried, and carried at all hazards and without mistake—carried through evil report and good report; if necessary, and it was necessary, through war, exile, and even death. If any thing was to be done, they must strike a blow—must prove that priests as well as soldiers could act. They could not keep kings from meddling in elections; but they might keep bishops from receiving their offices on terms which fettered and lowered them. Abstract rights might not help them much; but they might fix on a *practice*, and draw upon it the strong and indignant feeling of Christendom. Investiture and homage, as they had long been exacted from the clergy, created not merely a spell and *prestige* in favour of feudal claims, but, according to prevailing principles, a real undeniable right. They were the links which bound the Church; and cost what it might—the Church was above all price—they must be snapped. It was no safe experiment, but they had hit the blot; nothing shows it plainer than the rage and reluctance with which their opponents at length yielded. The emperor Henry V. when he had the Pope in prison, “holding him fast,” says his panegyrist, “as Jacob did the Angel, and not letting him go till he gave him a blessing,” could afford to let his captive bargain about free election—the “blessing” which he wanted was to give him the right of investiture.

Such was the effort made against investiture—it was the effort necessary for the time to save the Church from falling—the course into which faithfulness and self-devotion in that day threw itself—the cause in which all high religious feelings, by instinct oftener than by any clear reason, found their symbol and representative. There were ideas of purity which were revolted, when hands

consecrated to the holiest service were placed between those of the filthy and bloodstained, and surrendered also to *them*—there were yearnings after freedom—enthusiastic glimpses of the unutterable glory even of the Church militant, which spurned at the notion of her being a “handmaid,” *ancilla*, to mortal greatness—thoughts of our Lord’s actual presence in the rites and voice of the Church, which made the interference of secular power feel like a profanation: all these rose up in men’s minds as the movement went on, and turned themselves with more or less success and consistency into arguments. They at least showed what was in men’s minds—what was identified with the contest. And, in spite of irrelevant reasoning and weak points, the question was what it was felt to be, one of the deepest principle—a matter which could not rest any longer as it had done—whose consequences, of one kind or another, had come to the birth, and could no longer be delayed. If investiture continued *now*, it was equivalent to surrendering the Christian law to those who hated it.

It was in vain, when the Church became alive to the real meaning of the dispute, that moderate and peaceful men, suspicious of great movements, keenly alive to what was wrong or questionable on their own side, appalled at the terrors of a struggle, and hopeless of the strength of the Church to overthrow a custom so tenaciously held—took a middle line—drew distinctions and formed theories to elude its meaning. What did feudal kings care for theories? Canonists might refine in their schools on the possible or original meaning of the symbols, and urge that the staff might mean only temporal jurisdiction—that the ring could not mean anything sacramental in the hands of a layman—that symbols were but matters of opinion, and were of little consequence, so that right doctrines on the subject were maintained; doubtless by due limitations and distinctions, a strong, perhaps irresistible position might be taken on paper, if the war was only on paper. But their distinctions could not alter facts, or force the practical belief of the multitude. Argue and explain as they would, William the Conqueror and the German emperors knew very well what *they* meant by investiture, and the opinion of their age bore them out. When William told Lanfranc that he “would have all the crosiers in England in his own hand,” it was in no meagre and restricted sense that he intended his words to be taken. The Church had to deal not with abstractions and theories, but with a great established practical system, acted out day after day by living men. She was in danger of becoming feudalized in spirit and outward form. Bishoprics and canonries were being made the prey, not of a considerate legislature providing for vested interests, but of the more summary and urgent avarice of spendthrift soldiers—the higher

clergy were becoming more and more worldly and profligate; if this was to be checked, it must be by other means than explaining away the meaning of investiture. Ivo, bishop of Chartres, who was one of the representatives of this moderate party—Anselm's friend, and fellow-pupil at Bec—a brave and earnest churchman, too—reasoned plausibly enough in the abstract, that there was a ground on which investiture was defensible*—that it was folly to sacrifice religion to a point of positive order; doubtless, as he said, St. Augustine made great account of the claims of human law;—doubtless the Pharisees in their day “strained at a gnat and swallowed a camel;” probably also he only spoke the truth when he complained that great scandals were left unredressed during the struggle, and that the ministers of the Roman see often behaved very badly; but the question on which all hinged yet remained, whether he or the Pope's party best understood the feelings and necessities of the time. He only proved—what they had good reason to know as well as he—that they were playing a bold strong game, were making great sacrifices. It might be that the object was worth them, and required them; it might be that it *did* matter whether investiture were granted by this or that symbol; it certainly did so happen that those most interested, the feudal lords, thought so. Ivo, however, himself, as the contest went on, came to see that the point was not so indifferent or secondary as he had once represented it.†

It was on this question, that after the death of William Rufus, Anselm carried on his battle against feudalism, under the new king, Henry I. As far as we can see, it was William's tyranny in driving Anselm out of England, that gave him this new ground. For it was during his exile that the canons against investiture, which hitherto the Popes had not cared to enforce in England, were brought under his notice: and in them he gained a distinct expression for his principles, the want of which he had felt in his resistance to William.

It was a strange destiny which seemed to pursue him. His old enemy was dead, but the conflict was to be renewed at once, with scarce a breathing time, against a fresh one—dispute and turmoil were still to be his lot. The contrast is indeed a striking one—it is suggested by the work at the head of our Article, a translation of his two most celebrated works—between Anselm the writer, and Anselm the archbishop. Most great men have one sphere and one function; and accordingly, however diversified their powers or history, every thing about them seems subordinate to this one end—whatever bears not on it may be matter for curiosity, or give life and reality to the broad popular notion of them,

* Ivo Carnot, Ep. 60.

† Id. Ep. 236. De Marca, viii. xx. 5.

but it is no essential feature of their portrait. The statesman may be a scholar—the orator have an ambition to shine also as a man of science, or a poet, or, it may be, as a theologian—but their feats or failures are alike absorbed into or drop off from their memory, and will be forgotten before the fashion of their clothes, the look of their face, or the tone of their voice—the law of their course forbids them the coveted place in another fraternity besides their own. Many men indeed have, like St. Athanasius, worked out their peculiar task, *both* by their writings and by the influence of a powerful character during an eventful life; but their actions and writings have been the one the complement and illustration of the other; they have led directly to the same point of sight; they cannot be separated; they are promise and fulfilment, text and commentary. And again, there is a kind of contrast between men's lives and writings, which arises from a want of harmony between them,—painful or amusing, as the case may be—where the deed is inconsistent with the word, or where a man's feebleness and helplessness of speech, his rude phrase and stammering lips, stand out in ludicrous juxtaposition with his practical clearness and energy. But this is not the contrast we are speaking of in the case of St. Anselm; it is the contrast of different and almost opposite characters in the same person. He is at once the deep and original metaphysician, intensely absorbed with abstract problems, the most baffling to men's reason and trying to their faith—in a rude age and with slender appliances, by the help of St. Augustine and his own thoughts, facing them boldly, and marking out the new and definite course which was to be followed in schools of the Church for centuries; and the active champion and leader of the Church party in the west, who has at once to bear the “stress and burden” of the English primacy in a newly organized and unsettled Church—to carry on the routine and detail of business—and also to contend singly against overwhelming odds for an obnoxious principle, to raise a feeling, and form a party, where at starting he was alone. There is a sort of instinct which disjoins and opposes the speculative and the practical, and where it finds the one is surprised to find the other. Such works as the *Monologium* and *Proslogium* seem to fix their author's place:—calm profound *à priori* speculations on the most sacred foundations of all religion, which issuing from the densest gloom of the Middle Ages, and clothed in their grotesque though scientific diction, arrested the attention of Leibnitz, and are making their writer's name a familiar and respected one in the schools of Germany and France,—they mark him out as belonging to those who live apart, who work for mankind in secret; whose

memories, known to the world by their writings, are shrouded from popular curiosity in a sort of mythical vagueness; as a great teacher, whose very sentences are weighed with heed—fitly placed where the great poet has placed him—in the consecrated brotherhood of those who have especially ministered God's gifts of reason—prophets and preachers, historians and philosophers, men of the schools and the cloister—

“Natan profeta, e 'l Metropolitanò
Crisostomo, ed Anselmo, e quel Donato,
Che alla prim' arte degnò poner mano—”

But such an one we do not expect to meet with also on the turbulent stage of English history; in company with the practical, the intrepid, the far-sighted rulers of the multitude—influencing and encountering the powers of the world—the fellow-champion of Hildebrand and Becket—the mate and rival of our Norman kings. The effect is much as if we could imagine that Bishop Butler had fought and suffered for the Church against the Puritans, or Archbishop Laud had written the ‘Analogy.’

Not that there is any great mystery in this, or that Anselm possessed any very wonderful versatility or variety of talent. Well as he acquitted himself when called to act in public, he never changed the character which he had formed in his days of peace—he always continued to look on his vocation in the world as that of the theologian and the ascetic. In the very tug and crisis of the battle, when standing face to face with what we call the realities of life,—man of business and action as he seemed, he was still in reality the devout and enthusiastic metaphysician—in the hall at Rockingham, or the cloister of Canterbury, or the palace of the Lateran—journeying along the “rugged and ruinous ways” to Italy—as well as in his Campanian monastery, with its mountains and sweet cool air, his thoughts without effort disengaged themselves from those absorbing interests which seemed at stake, to ‘fly back to their sacred and remembered spring,’—the deep things of God and the soul. To the last, on his death-bed, it was evident that he considered it his especial work to unravel and communicate high and difficult truths. Nor was he wrong. He was not a statesman, but a monk. The secret of his victory—of his high and noble bearing in the world—of his dignity and self-possession—of his clear-sighted decision—of his firmness and readiness—of that unbroken calm which seemed in so undefinable a way to be about him—the secret of all this lay not in any unusual proportion of those powers which enable men of the world to charm or overawe their fellows, but in his thorough earnestness and self-devotion; in that completeness of character which by dint

of continual and genuine self-mastery, has become fitted for every kind of service, because it has really surrendered every end but one. And so when called to a new sphere, he was ready and qualified for it—he at once recognized his place and took it. The scene was changed, but the man was the same. All that he brought to meet it was his former fidelity and patience—his unexcited and commonplace sense of duty—the unconscious heroism which had been growing up in him in secret—*fortezza ed umiltate, e largo core*—and the vivid and continual certainty that, come what might, he had chosen the winning side. And thus, monk and schoolman as he was, he was not discomfited by the jeers of William Rufus and his court, nor surprised to find himself wrestling from the “great King Henry” one of the dearest privileges of feudal royalty.

The fact of this contrast—that there is so little visible connection between Anselm the theologian and Anselm the archbishop—is an instructive one. The cause of ‘ecclesiastical liberty’ was not of interest only to men of statesman-like powers—whose line was action, command, and policy, in whom a great and noble cause to be battled for in the world against selfishness and power, is of itself sufficient to rouse enthusiasm and enlist their whole souls—for Anselm certainly belonged not to this class; yet no man fought more sturdily or heartily, with less doubt as to the importance of his quarrel, with greater readiness to risk and suffer every thing for it, than he did; yet not as a tool, or blind partisan, for no one prompted him, and the court of Rome, as well as the English bishops, left him very much to fight his own battle. In his case, certainly, it was no political ends, however good and high, which moved him; the excitements of the strife, the *certaminis gaudia*, had little charm for him: nothing can account for his line of conduct but the calm, ever-present conviction that those high interests which filled his thoughts in the cell and before the altar were in visible and open jeopardy in the feudal palace.

Our readers, however, know something of Anselm, and we need not say more about him: his antagonist we must introduce at somewhat greater length.

Henry Beauclerk was the youngest of the Conqueror's sons, and not the least remarkable of that remarkable family, who collectively present a fair specimen of the race of stirring and adventurous men of whom they were the head—a race whose banners, in the eleventh century, had been seen in almost every country round the Mediterranean—*gens fere orbem terrarum bello pervagata*—who had met and humbled alike Greek and Latin emperors, soldans of Syria and Africa, and had set up their thrones east,

west and south, in Russia and England, in Naples, Palermo and Antioch; at once the unscrupulous persecutors of the Church, and its most enthusiastic liegemen and soldiers. The three brothers were all of them restless, daring and ambitious; full of that wild eagerness of character, which threw itself, with the same reality for the moment, into devotion, crime, and romantic enterprise, and changed at once from merriment and pleasantry into brutal ferocity. But otherwise they were very different. Robert, the model of courtesy, the fiery and dashing knight, who had never met his match in "Paynim land or Christendom," the hero of the first crusade, with a soldier's kindheartedness and frankness, had all a soldier's licence, and, except in war, was a general laughing-stock for his inconceivable weakness and indolence. William, as brave and enterprising, and far more profligate, had none of his feebleness; in his headlong frantic vehemence there was foresight, quick intelligence and steady decision. Henry had been schooled by his fortunes. In his youth he was the scholar of the family, the man of peace and studious tastes; the frequenter of learned companies; the dabbler in classical quotations and snatches of philosophy; whose attainments, if they were somewhat "tumultuary,"—if, like Charlemagne, he seldom ventured "to read aloud, or to chant, except in an under-tone," were yet sufficient—in a prince—to vindicate the 'fair clerk's' right to his name. Yet he was no mere idle dilettante or pedant: however loudly his rough brothers might laugh, when they heard the saws about "illiterate kings being crowned asses," with which he used to entertain his practical, but not very accomplished parent, the dealer in proverbs was shrewd and wily withal; his was not a speculative and abstract love of philosophy, which would be contented in the retirement of the bower or cloister; he was not without hopes that England would some day be Plato's blissful commonwealth, where a philosopher should be king, or the king a philosopher. His father was alive to his talents:—"never mind, child, you will be king yet," was the consolatory prediction with which he bade his son dry his tears, when he found him once weeping at some affront from his brothers.

His father's death left him a person of some consequence, either as a friend or a prize. "He had his father's blessing; and his mother's inheritance, and much treasure withal to depend upon"—and with this, though without any territory, he thought he could defy his brothers, and hold the balance between them. His plan was to support Robert; he was the least formidable, and was easily worked upon; Henry's firmness and longsightedness might temper his softness. But Robert, though gentle and weak, knew well the value of money, and could listen to slan-

derers. Henry made the inexcusable mistake of leaving his secret of strength, his 3000 marks, within Robert's grasp, while he went over into England on his brother's service; when he returned he found that Robert had made use of him in another way,—the 3000 marks were gone irrecoverably—squandered on Robert's mercenaries. His hopes of influence thus rudely put an end to, “perhaps,” says William of Malmsbury, “he took it unkindly, but he held his peace.” After experiencing more of Robert's ingratitude, he accepted an invitation from William; but William was satisfied when he had got him away from Normandy; and after a year of want and disappointed expectation, he escaped across the channel to Robert, whose flattering tone changed as soon as he was once more in his power. Thus he lived, bandied about from one brother to the other, each disliking him equally, but afraid to trust him with the other. It was in vain that he tried to win Robert's confidence, that he saved Rouen for him, that he tossed traitors over the walls into the Seine, so zealous was he in his cause; Robert requited him by turning him out of the city he had preserved. In the end both brothers joined against him.—“And so,” says his historian, “having shown himself loyal and active on behalf of each of them, they plundered the young man of all he had, and trained him up to greater prudence by lack of victuals.”

He took to his lesson kindly and learned it well. At length William was killed. Robert was at the time far away; he had gone some years before to the east; the bravest of the Christian host, he had gained great glory against the infidels; the crown of Jerusalem was pressed upon him, but home and rest were dearer; he was now on his way back, wooing a fair lady in Italy, and refreshing himself after his toils. Meanwhile his quiet brother had been gaining popularity, forming a party, and biding his time in England. The news of William's death brought with it the expectation of universal confusion; most of the court dispersed hurriedly to their homes to prepare for the worst. Henry was on the spot and ready. The day William was killed, he claimed the keys of his treasury: the keeper opposed him, and reminded him that he had sworn homage to Robert. Henry answered by drawing his sword; he was not going to lose his father's sceptre by ‘frivolous procrastination.’ Robert's title, after all, was an imperfect one; his father had expressly excluded him from the crown of England; and, any how, it rested with the bishops and great men to accept or refuse him. Personally there were many things against him—his indolent spendthrift ways, his childish feebleness; above all, he was away; ‘the great men knew not what had become of him,’ and England wanted a governor at once. Henry was willing to be king of England; he was a fit

man to be a king, resolute and steady, and, except with the riotous companions of King Rufus, popular. Even the Saxons felt kindly towards a born Englishman, a son too of William *the King*: and he was a friend of justice and quiet; his soul abhorred the loud, coarse, impudent profligacy which had been rampant in his brother's palaces. The whole crew of the dead king's companions, male and female, were at once mercilessly chased away; 'the use of lights at night restored in the court.' He promised a strong and righteous government, fair customs to the crown vassals, to the people the "old laws of King Edward," and liberty to the Church. The clergy and great men unanimously agreed to have Henry. Three days after William's death he was "consecrated to be king" at Westminster, with great "rejoicings of the people." Robert hastened home, but it was too late; his chance was gone, and his place filled by one who could keep it. The smooth, pleasant, clerkly youth, "of fairest form and manners, and most gentyl and free," who had so assiduously courted his service, and been flouted by him in return so lightly, was now master of the game—a king in good earnest, no trifler with titles, or hero of forays or tilt-yards; and he had not forgotten what he had learned or suffered of Robert. He was still the man of smiles and decencies; he could wait for his object, but not forgive or relent. "Silly Robelin Courte-hose"—he had but to be left to himself to work out ample vengeance for his brother. He first sold his claim to England for a pension of 5000 marks; but he was a gallant and courteous knight, and could not refuse a lady—at the suit of Henry's queen he gave it up. Robert knew not how to govern his dukedom. Normandy was in wild disorder, and he helpless and listless; it was a sore sight, and Henry took it much to heart; his brother was disgracing himself and ruining a noble province, 'playing the monk instead of the count;' he expostulated—'once blandly by words, more than once roughly by war'—but Robert was incorrigible. Henry was at last prevailed upon—it was very painful, but necessary—to sacrifice his 'indiscreet brotherly affection to endangered justice:' there were maxims of Cæsar to justify him;—one after another he won the towns and castles of Normandy. Robert wandered about, deserted, begging his bread; at last he made one desperate effort; it ended in a captivity of thirty years. "He was kept in free custody till the day of his death," says Henry's astute and ironical panegyrist, "by his brother's laudable kindness (*pietate*); for he suffered no evil, except solitude, if it could be called solitude where his keepers were all attention to him, and where he had plenty of jollities and dainty dinners." Poor Robert doubtless had a keen relish for 'jollities and dainty dinners;' but coupled

with 'free custody'—stories too there are of something rougher still, of 'strong prison' and blindness;—but even with *free custody*, they could have been but a poor solace to the fiery spirit of the most gallant of the crusaders. He dragged on through the thirty years in miserable fretfulness, and at last, in a burst of rage at some fancied insult from Henry—the "dastard clerkling who had outwitted him"—he vowed that he would never taste food again, and died "pining and angry with himself, cursing the day of his birth." Dreary finish of his brilliant and gay career; melancholy waste of gallantry and enterprise, of talent, eloquence, and wit—for, for these also Robert was famous in his time. The 'clerkling's' revenge was a stern and complete one. Robert survived all his fellow travellers to Palestine. "Alas," says the old English Chronicler, moralizing on the change since he fought with them at Antioch and Ascalon, "him had better have been king of the Holy Land;" he refused to be "the highest prince in Christendom when God would, and took to rest;—therefore did God send him rest in prison."

Henry had his difficulties; but he was fully able to cope with them. The line that he had taken—his unmilitary character—his reforms and popular concessions—the prospect of a strict government—his professed sympathy with the clergy and the Anglo-Saxon population—his quiet Saxon queen, with her monastic education and tastes—drew on him the angry contempt of the great Norman nobility. They had been taken by surprise—many of them at least—in electing him. Robert's easy sway was much more suited to their unruly independence. Till after the conquest of Normandy, "both while a youth and as king," says a contemporary, "Henry was held in the utmost contempt." But he was not a king to be despised, as his barons found to their cost; the 'Lion of Justice' could use his fangs and claws on occasion. High aristocratical Montgomeries, and Grentmaisnills, and De Warennes, might sneer in his presence at sober 'Godric Godfadyr and his wife Godiva,' and feel very little respect for a king who had a taste for natural history and collected a menagerie at Woodstock—who encouraged his young nobility to puzzle cardinals in logic, instead of upsetting knights in the lists: he was not put out of temper; but he received their sarcasms with an "ominous laughter" (*formidabiles cachinnos ejiciebat*)—laughter, which, like his praise, was the sure forerunner of mischief, and in due time showed them, either by war or 'modestly and in courts of justice,' that Godric Godfadyr could do other things than amuse himself with his camels and porcupines at Woodstock. Henry deserves his own praise; he made himself felt in England for good as well as for evil. He at least allowed no

oppression but his own. The castles, 'filled with devils and evil men,' which were the curse of England in Stephen's time, were not raised in Henry's. If the poor felt his severity, they also felt his protection :

" He was in thought, day and night,
To save poor men from rich men's unright."*

The Saxon chronicler, who records the Leicestershire assize, where the king's justiciary "hanged more thieves than were ever known before,"—many of them, so "true men" said, very unjustly,—and who complains of the misery of that "heavy year"—"first the wretched people are bereaved of their property, and then are they slain"—speaks probably the voice of the lower orders in his concluding eulogy on Henry. "A good man he was, and there was great dread of him; no man durst do wrong with another in his time. Peace he made for man and beast. Whoso bore his burden of gold and silver, no one durst say ought to him but good."

His position, in respect of the aristocracy, dictated his Church policy. His jealous and quarrelsome nobility, with their feuds and seigniorial rights, threatened to split up the kingdom into a number of independent principalities like the great fiefs of France. He saw clearly enough that this would be ruinous—that *the thing* for England was to make the crown all-powerful, and next, as far as could be, respectable and popular. And for this he could not spare the Church; to a certain point she was his natural ally—a force powerful, both from its activity and from its dead weight also, on the side of order; her higher clergy were an aristocracy of peace, contrasted with the military aristocracy—not, like the barons, hereditary, but continually replenished from the tried servants of the crown, and defenceless if refractory. Moreover, the great want of kings is money, and money was more easily to be drawn from the Church than from the spendthrift and pugnacious barons. Henry was quite content that the Church should be strong and honourable as in the days of his father; he did not mean to seize or farm her bishoprics and abbeys, and had no notion of encouraging disreputable clerks like Ralph Flambard to bring shame on their patron by their impudent profligacy. Almost his first measure was one of justice on this grand delinquent. Ralph, now Bishop of Durham, was seized and shut up in the Tower of London—"the people rejoicing as if a raging lion had been caught:" but he shortly after escaped, to play fresh pranks in Normandy. We cannot dismiss him without giving the account of his escape, from the Norman monk Ordericus.

* Robert of Gloucester.

"The crafty prelate managed to get forth from the rigour of the prison-house, and by means of friends cunningly contrived his escape. For he was deft and a man of words, and though cruel and fierce tempered, yet was he bountiful withal, and generally of a merry humour, so that to many he was pleasant and right dear. By the king's order he had daily two shillings to his board, wherewith by the help of his friends, he did disport himself (*tripudiabat*) in the prison, and ordered a noble banquet to be served daily for himself and his guards. On a certain day a rope was brought in to him in a flagon of wine," (*proh dolus!*—exclaims the shocked librarian of Malmsbury),—"and a dainty feast was made of the bishop's bounty. The guards ate with him, and were made merry by deep draughts of potent wine; who being exceeding drunk, and snoring carelessly, the bishop fastened the rope to the pillar which was in the middle of the tower window, and taking his pastoral staff with him, he slid down the rope. But because he had forgotten to guard his hands with gloves, they were cut to the very bone by the roughness of the rope; and moreover for that the rope did not reach to the ground, the fat prelate (*corpulentus flamen*) came down with a heavy fall, and being nearly dashed to pieces began to groan most piteously—"

His friends however were in waiting with horses to convey him to the coast, and he escaped. It was some consolation to the population at large that he had not got off quite scathless.—"If he hurt his arms and scraped the skin off his hands," says William of Malmsbury, with a chuckle of satisfaction, "little does the people care for that."

Henry meant in his own way to reform the Church. He was ready to appoint worthy and respectable men to preside over her government—friends and chaplains of his own, discreet able men of business, who had travelled and been charged with embassies, and learned something of the world, and who by their princely state and magnificence and public spirit would keep up the dignity of the Church and their order. Such were Henry's favourite bishops. Roger, afterwards styled the Great, was a poor chantry priest in a suburb of Caen when he first took Henry's fancy,—then a needy ill-used younger brother with a small following,—by his expeditious mode of performing divine service; Henry thought he would make a good soldier's chaplain, and took him into his service. Roger proved useful—he kept the purse-strings discreetly; and he rose with his patron's fortunes to be Bishop of Salisbury, one of the most trusted and wealthiest subjects in England. If he was rather more of a man of the world than became a bishop—if he loved riches, and was reputed somewhat free in his life, yet he was known to begin the day with the due religious offices, and his public works were monuments of his taste and liberality. Such another was Robert Bloet, Bishop of Lincoln—a contemporary's

recollections of him might almost stand for a sketch of Wolsey's fortunes.

"In my boyhood and youth," he says, "when I used to see the glory of our Bishop Robert—his knights so gallant, his pages of noblest birth, his stud of the greatest value, his gold and gilt plate, the profusion of his table, the state of his attendants, his wardrobe of purple and fine linen, I could conceive no greater happiness. How could I feel otherwise when every one, even those who used to lecture in the schools on despising the world, paid their court to him, and he himself, regarded as the father and lord of all, most dearly loved and embraced the world. But when I grew up, I heard tell of foulest reproaches cast in his teeth, which would have half killed me, beggar as I was, to have endured before so great an audience; and so I began to hold that inestimable blessing at a cheaper rate.

"And finally I will tell what happened to him before his death,—he, the justiciary of all England, the terror of every one, was in the last year of his life twice sued by the king through some petty justice, and twice cast with every circumstance of indignity. His distress was such that while with him as his archdeacon at dinner, I have seen him burst into tears; and when asked the reason, 'My attendants,' he said 'once used to be dressed in costly stuffs: now fines to the king, whose favour I have ever studied, have reduced them to lamb skins.' And so completely did he despair of the king's friendship, that when told of the high terms in which the king had spoken of him, he said with a sigh, 'The king never praises any of his servants whom he does not mean to ruin utterly.' For king Henry, if I may say so, bore a grudge bitterly, and was very inscrutable (*nimis inscrutabilis*).

"A few days after he fell down in a fit of apoplexy at Woodstock, and died."*

But, further, the king was a man of learning, and he would not be without learned bishops also; he brought Gilbert the Universal, "whose equal in science was not to be found between England and Rome," from the schools of Nevers to be Bishop of London. Gilbert justified his patron's choice, and moreover left at his death immense wealth, which Henry seized—"the bishop's boots also, filled with gold and silver, being carried to the Exchequer." But at the same time Henry could fully appreciate a higher and stricter character, and it was quite to his taste to have the metropolitan see filled by such a man as Anselm.

Such was Henry Beauclerk and his policy. On coming to the throne he at once recalled the archbishop. Anselm found things changed; from William's reckless tyranny, England had passed under the rule of a long-sighted statesman, who was bent on crushing licence; a man above the gross vices of his time—utterly despising the fashionable taste for military glitter and fame—professedly a man of peace, but not afraid of war; the

* Henry of Huntingdon, *de Contemptu Mundi*, in Wharton, ii. 694.

avowed patron and friend of the Church. The prospect seemed hopeful; Anselm's plans of reform in the English Church might now be carried into effect; Henry, from his gentler temper, was more likely to enter into them than his father. But very few days passed, before formidable difficulties began to show themselves. Anselm, however, threw himself heart and soul into Henry's interest; mediated between him and his suspicious subjects; received in the name of the nobility of the realm, and the great body of the people, the king's plighted hand, and his promise to govern by "just and holy laws;" accompanied him to the field when Robert invaded England; kept the changeable and faithless barons to their duty, and induced Robert to consent to a reconciliation. In the only critical moment of Henry's reign, he owed his fortunes mainly to the archbishop.

The difficulties alluded to arose from the question of investiture. Henry, following the analogy of lay fiefs, required that Anselm should receive his archbishopric afresh from the hands of his new lord, and do homage for it, according to the usage of former kings. As we have already said, these feudal customs had been hitherto exercised without protest in England; Anselm himself had received investiture from William Rufus. But the case was now altered; he had assisted at councils, where the canons against investiture were confirmed and republished; where those who gave and those who received it were alike excommunicated. He had now but one course—to obey the canons, and refuse Henry's demand. His experience, too, in his last dispute, had taught him the real importance of the question, and he had made up his mind, while supported by the Pope, to hazard every thing in trying it.

The archbishop's objection to investiture was a sufficiently provoking derangement to Henry's plans. To give up what his predecessors had possessed was a check at starting; to resist, was to come into collision with the body he wished of all things to have on his side; with Anselm, too, an indomitable fearless old man, a confessor in the freshness of triumph. Henry could not yet afford to break with him openly, but he had not the slightest intention of yielding the point—"it was worth half his realm." Negotiation with the Pope opened a hopeful prospect of delay; it was a course to which the archbishop could not object; if it gained nothing else, time of itself was well worth gaining. Anselm knew well that this was "mere trifling;" but his position was, obedience to superior authority, and besides, he did not wish to bring suspicion on his loyalty. It was settled, therefore, that matters should remain in abeyance, till an answer could be received from Rome.

Henry stood on the 'usages of the realm;' he was doing no more than all his predecessors, Saxon and Norman, had done—

requiring no more than Anselm himself had yielded to William Rufus. He was anxious, he said, to honour the Roman Church as his father had done—to profit by the presence and counsel of his archbishop—but, come what might, his ‘usages,’ the honour of his crown, must remain inviolate; their surrender could not be a question with him; he did not send to Rome to ask them as a concession from the Pope, but to see what could be done to enable Anselm with a good conscience to submit to them. If the Church decrees could not be dispensed with, he regretted it; he was loath to depart from the Pope’s obedience; but whatever resolution Anselm or the Pope might adopt, he must abide by the ‘usages.’

Henry had this strong advantage, that he could say that the Church claim was a new one. He could seem to others and to himself to be appealing against a theory, to realities and immemorial practice. “Saw you ever, since you were children, ring or staff given away in England except by the king? Whom can you conceive doing it but him?” Long before Norman times—in the days of King Edward—back to the old time of Charlemagne, kings had used their right, and bishops never resisted: why should this objection be now for the first time thought of? If the usage was wrong now, why ever permitted? Why should Henry, the friend and protector of the Church, be the first to forfeit his privileges? What was this new claim but an open encroachment, a lowering of temporal honour? and what were Church decrees, that they should at this time of day pretend to meddle with what all men accounted to be most sublime and great—the glory of the king’s majesty?

Anselm did innovate certainly: loyal, unworldly man as he was, he was giving a bold and rude shake to Henry’s royalty. But time had been innovating before him—time and feudalism had been encroaching on the Church—and if she was to be even with them, she must bring up her way at once, and therefore, though principles as old as Christianity were appealed to, abruptly. Quietly, silently, for years and years before his day, society with its feelings and opinions had been going through its unceasing flux, changing, drifting, settling anew from day to day; what had at length come of all this was, that kings and nobles thought that bishoprics were their own to do what they pleased with; what seemed likely was, that soon the rest of the world, lay and clerical, would come to think so too. These venerable, long-endured ‘customs,’ had been hinting, insinuating, at last plainly telling men so; leave them alone a little longer, and their evidence would be irresistible. Since they were fresh and young, every thing around them was altered. For our own part, we are not very much disposed to quarrel, in its own age and circumstances, with what it would be a convenient ana-

chronism to call the Erastianism of Charlemagne; his was, on the whole, a real earnest Christian government, doing, according to its light, a great religious work. If he meddled, in a high and summary way, in most Church matters, it was with the hearty zeal of one who felt her service to be in truth his business and mission, and his highest honour. But Charlemagne, with his capitularies collected from the canons of councils, and his "missi" travelling all over Europe to execute them, was among things departed and obsolete, known only to antiquarians, or dimly celebrated by minstrels and romancers, fabling of the majesty and pomp—*μεγαλοσχίμονά τ' ἀρχαίσι πρεπῆ τιμάν*—of the old Christian emperor. The living ruling powers of Europe were of a different mould—haughty and proud lords of the world—soldiers and hunters—"fathers of the hare and high deer"—at best wise and cunning statesmen—a new dynasty of force, forgetful of the Power more than human—minister of blessing, teacher of wisdom and mysteries—the child of heaven as well as earth, which had in old time upheld their thrones, and which they were recompensing now with insults and bonds :

*νέοι γὰρ οἰακονόμοι
κρατοῦσ' Ολίμπου· νεοχμοῖς δὲ δὴ νόμοις Ζεὺς ἀδέτῳς κρατύνει.
τὰ πρὶν δὲ πελώρια νῦν ἄιστοῖ.*

It was time for the Church to claim what she could no longer leave in their hands, if she might yet dream of her old functions. Whatever disadvantages she might have entailed on herself, she had at least a right, had she but courage, to save her divine commission and powers from being accounted mere human gifts for human purposes. Usages of England—the honour of kings—were serious things, of a practical nature, and not to be wantonly tampered with. Henry, practical man that he was, was right in thinking that they were not to be sacrificed to a theory. But there were serious and practical things in the world besides King Henry's usages; there were other great works going on, other deep matters filling men's thoughts, besides the establishment of his power: the Church, too, had her ends, her customs, laws, dignities, not on paper, but in the living world, which to some men were too precious to be sacrificed even to King Henry's glory and policy; she, too, had to preserve, and more than this, to restore.

But to return to our narrative: Henry's envoys returned, probably with all the success he expected. The Pope was inflexible, but his long letter against investitures had as little effect on the king. Henry, without taking the slightest notice of it, turned upon Anselm, coaxing, threatening, bullying, sending message after message through the bishops, with the object, if he would not submit,

of getting him out of England. He was loth to repeat in earnest his brother's rough game; it was his way to "worry rather with words than with arms,"—but he tried to intimidate. Anselm, however, was immoveable;—"he could not leave his Church—he had work to do there, and there he must abide till forced from it." At last a new embassy was proposed;—men were to go of higher note,—perhaps the Pope would be moved when he was told, that unless he relented, Anselm must be driven out of England, and the Roman see lose the obedience of the whole realm, with the advantage which it yearly derived from it. Anselm was to send his representatives, if it were but to testify to the king's determination—a trusted monk, named Baldwin, and another. The king's commissioners were three bishops; the chief was William Rufus's old envoy, Gerard, now Archbishop of York—a man of slippery doubtful ways, and unhappy end,—shrewd and plausible, and with much reputation for learning. "No man in England might be of more use to the Church," writes Anselm to the Pope, "and I hope in God he has the will, as he has the power." But he was an ambitious and unsteady churchman, as easily tempted as he was easily frightened. He had a most sensitive jealousy of the primacy of Canterbury, and was not very nice in displaying it. On one occasion, when the English bishops met in synod—so went the story among the canons of York—and a seat of solitary dignity raised above the rest was prepared for the Archbishop of Canterbury, Gerard, in high dudgeon, kicked it over, with an oath 'in the vulgar tongue'—*Dei odium ei qui sic paraverat vulgariter imprecans*—and would not take his seat except as co-ordinate in honour. The other two were Robert of Chester and Herbert of Norwich, men of very questionable respectability.

They returned with fresh letters for the king and the archbishop: and the nobility and higher clergy were immediately summoned to meet in London. They found that the king refused to communicate the contents of his letter, but again required unqualified submission from Anselm, under pain of expulsion. To Anselm the Pope wrote that he had peremptorily refused to comply with Henry's demands.

"Only a few days before," he said, "it had been again decreed in council, that churches and church benefices were not to be received by the clergy from lay hands. This practice was the root of simony—a temptation to the clergy to pay court to power: princes must not come between the Church and her offices, nor make themselves channels of what is really Christ's gift, and has his stamp upon it." "For," he continues, "as through Christ alone the first door is opened by baptism into the Church, and the last by death into life eternal—so through Christ

alone should the door-keeper of his fold be appointed, by whom not for the hire of the flock, but for Christ's sake, the sheep may go in and out till they are led to everlasting life."

So wrote Paschal to the archbishop; the letter was handed about and eagerly read; and in a few days it came out that he had written to the king to the same effect. Matters seemed to have come to a crisis when the three bishops came forward to make an important communication—they had received, they said, privately and secretly from the Pope, a verbal message to Henry, to assure him, 'that so long as he acted as a good king, and appointed religious prelates, the Pope would not enforce the decrees against investiture; but that he was obliged to hold another language in public, and that he could not give the privilege in writing, lest other princes should use it to the prejudice of the Church.' This startling announcement, to which the king's envoys pledged their faith and honour as bishops, raised a storm of debate in the assembly. Anselm's representatives had heard nothing of the message, which was inconsistent with every thing which had passed in public between them and the Pope. Baldwin especially was indignant—the bishops, he said, were breaking their canonical allegiance, trifling with the Pope's honour. The altercation became hot and fast—Baldwin insisted that nothing could supersede the authority of documents sealed with the Pope's signet—the king's party were fierce and insulting in their rejoinder—"The word of three bishops ought to weigh more than bescribbled sheep skins with a lump of lead at the bottom, backed by the testimony of two paltry monks, who, when they renounced the world, lost all weight as evidence in business of the world." "But this is no secular matter," said Baldwin. "Sir," was the answer, "we know you to be discreet and a man of business, yet still even order requires that we should set more by the evidence of an archbishop and two bishops than by yours." "But what becomes of the evidence of the letters? When we refuse to receive the evidence of monks against bishops," was the sneering reply, "how could we receive that of sheep skins?" A cry of disgust and indignation burst from the monks who were looking on. "Woe, woe!" they exclaimed, "are not the Gospels written on sheep skins?"

Thus things were more embarrassed than ever, and the archbishop thrown into a most painful state of uncertainty. What was he to believe, the Pope's letters or the solemnly pledged word of the bishops? It was plain that things could not go on without a fresh embassy, and a fresh embassy accordingly was sent. Anselm wrote, detailing the transaction, and earnestly begging for some clear and definite directions how he was to act.

"I am not afraid," he wrote, "of banishment or poverty, or torments,

or death :—for all these, God comforting me, my heart is ready, in obedience to the apostolic see, and for the liberty of my mother the Church—all I ask is certainty, that I may know without doubt, what course I ought to hold by your authority.”

It may occur perhaps to some of our readers, did the bishops after all speak the truth? Was this a trick and manœuvre of the Pope to keep on good terms with England during his struggle with the emperor? The supposition seems to us to be quite negatived, both by Paschal's personal character and by the subsequent events. Paschal certainly was not a great man: he was diplomatic and wavering, and dull to the claims of his own cause except when at his very door; but still he was in earnest, and there is no reason to suspect him of an act of such incredible folly, which could not be kept secret, and must prove ruinous to his influence and cause whenever known. Further, he at once and most solemnly denied it, and excommunicated the bishops, without any protest as far as appears on their part; on the contrary, both Eadmer and William of Malmsbury, take it for granted that at the time they were writing, the bishops' story was a notorious and confessed falsehood: nor is there any thing in the character of the envoys to redeem their credit.

During the absence of the new embassy, things were taking a turn in England, which Henry could scarcely have expected. He had early in his reign nominated one William Gifford, who had repeatedly held the office of chancellor under the preceding kings, to the bishopric of Winchester. Gifford refused to receive it, as it must come to him from the hands of the king; but on Anselm's return to England, the clergy and people of the see earnestly petitioned the archbishop that they might have Gifford for bishop, and he was at last prevailed upon to take the office. But he still would not consent to receive the ring and staff from Henry; however, for what reason it does not appear, the king connived at his receiving investiture in the cathedral from the hands of the archbishop. But his consecration was deferred. Subsequently to this, on the strength of the report brought from Rome by the bishops, Henry had invested two of his chaplains with the bishoprics of Salisbury and Hereford, and he now called on Anselm to consecrate the three bishops elect. Anselm remonstrated—he was ready to consecrate Gifford, but as to the other two, it had been agreed between him and the king, that till the Pope's decision had been finally ascertained, he at least should not be expected to sanction lay investiture. Henry swore that he should consecrate all or none: he still refused, and the king ordered Gerard of York to consecrate. This was a gross infringement of the metropolitan rights of Canterbury—a point

keenly felt at the time—but Gerard was ready. The tide however was turning. To Henry's surprise and indignation, the bishop elect of Hereford, a member of his court and the queen's chancellor, brought back the ring and crosier to the king, and resigned them, expressing his sorrow that, as things then stood, he had ever consented to take them—to go on, and receive consecration from Gerard, would be receiving a curse instead of a blessing. He of course was disgraced, and obliged to leave the court. But he was not alone. On the day of consecration, at the very last moment, when every thing was prepared for the ceremony, and the church was thronged with spectators, Gifford's conscience misgave him; he interrupted the service, and refused Gerard's benediction. Confounded and indignant, the officiating bishops retired, without finishing the ceremony for Roger, who had been appointed to Salisbury. "At this a shout burst from the whole multitude, who had come together to see the issue; they cried out with one voice, that William was for the right—that the bishops were no bishops, but perverters of justice." With changed countenance, and burning with rage at the insult, they rushed to the king to make their complaint. Gifford was summoned to Henry's presence; menaces on all sides were showered on him. "There he stood," says Eadmer, "but he would not flinch from the right; so he was despoiled of all he had, and driven from the realm." Anselm protested strongly and repeatedly, of course without effect; yet Henry had learnt what he had scarcely looked for. If the court clergy were becoming infected with Anselm's views of Church and State, and were beginning to turn on their patron, it might be time to think of some rougher and more summary way of finishing the dispute.

Henry, the most dissembling of men, was visibly showing his impatience; it was at all events necessary to get Anselm out of England—out of sight, and cut off from communication with the clergy. On some trifling pretext, the king suddenly made his appearance at Canterbury: his real intention was by some means or other to drive the archbishop away. A letter had by this time come from the Pope—the king refused to see it. Anselm, on the other hand, dared not to break the seal; for its contents might involve an immediate rupture, and further, to avoid the suspicion of forgery, he wished it to come sealed into the king's hands. But Henry had come to settle matters—he must have his own, he said, whether the Pope agreed or not: "let every one who loved him know for certain, that whoever refused him his paternal customs was his enemy." Rumours were becoming rife among those most in his confidence, of intentions of violence: the quarrel was waxing hot, and the future looked dismal and full of danger. "The very

nobles," says Eadmer, "on whose advice Henry depended, I have seen in tears, at the thought of the mischief which was at hand." Special prayers even were offered up for the crisis. But in the midst of this excitement, Henry all at once changed his tone: he took up the language of entreaty—"would the archbishop go to Rome himself, and try his influence there?" Anselm answered that if his peers thought it right for him to go, he was ready, "as God should give him strength;" but that "even if he should reach the threshold of the apostles, he could do nothing to the prejudice of the liberty of the Church, or his own honour—he could but bear witness to facts." The reply was that nothing more was required—the king's commissioner would be there also, to plead for his master.

Four days after this had been settled, he was on horseback, leaving Canterbury to cross again the length of Europe, a feeble time-worn man on the verge of seventy, but fearless and cheerful as ever. The intense heat of the season stopped his progress and gave him a month of quiet in his old home at Bec, but he was on his way again before the summer was over. Henry had now gained his point in having got Anselm out of England—he had no wish that he should be seen and heard at Rome; it would be much more to his purpose if Anselm could be detained in Normandy or France. We find incidentally from one of Anselm's letters that the king had suddenly become anxious about 'his archbishop's' health, and the fatigues of so long and rough a journey; he strongly recommended the archbishop to spare himself—to halt somewhere, and transact his business at Rome by envoys. Anselm's answer is dated from the passes of Mont Cenis; he is thankful for the king's care for him, and assurances of his esteem, but he was too far on his way now to think of turning back—he must go on to his journey's end. At Rome he found his old companion in these transactions, William Warelwast, and in due course the subject was brought before the Roman court. Warelwast urged the old ground of usage; moreover the English kings were distinguished for their munificence to the Holy See, and he knew for certain, he said, that if investitures were not allowed it would be much the worse for the Romans, and they would be sorry for it when too late. He had his friends in the Curia; his words were received with encouragement—many of the cardinals thought that the "wishes of so great a man as the king of England were on no consideration to be overlooked." Anselm was silent; Paschal also had not spoken, and Warelwast was emboldened. "Let what will be said," he exclaimed with vehemence, "know all present, that if it should cost him his realm, King Henry will not lose investitures." "Sayest thou that King Henry will not give up in-

vestitures?" was the quick rejoinder,—“nor, before God, will Pope Paschal, to save his head, let him have them.” “The sound of which words exceedingly dismayed William”—he obtained however for Henry a personal exemption for a time from excommunication: Anselm was ordered to hold communion with him, but not with any of the other offenders, who were to remain under excommunication till the archbishop saw grounds to take off the sentence.

Warelwast worked hard, after Anselm had left Rome, to gain some further concessions, but all he could get was a kind of coaxing letter from the Pope to Henry, to smooth down the sternness of refusal with compliment and congratulation about his successes, and his ‘distinguished and glorious consort,’ and the son she had just brought him—“whom we have been told you have named William, after your illustrious father:”—appealing to his devotional feelings, assuring him that he was parting with nothing really valuable, and promising him on his compliance to indulge him with any favour he might ask, besides the apostolic absolution for himself and his queen, and the protection of the Roman Church for his son. The Pope scarcely knew King Henry.

Warelwast overtook the archbishop’s company, who were escorted through the Apennines by the great Countess Matilda, and travelled with him as far as Lyons. There he delivered to him a message from Henry—the last expedient, if the Roman negotiations failed. “The king earnestly desired his return to England if he was willing to do all that his predecessors had done to former kings.” “Is that all?” said Anselm. “I speak to a man of understanding”—was the reply. It was intelligible enough, and accordingly Anselm took up his abode a second time with the Archbishop of Lyons, and Warelwast returned to England.

Thus was Anselm a second time cast out to eat the bread of strangers—thrown aside, and forced to sit by, checked, humbled and sick at heart, while the great powers in Church and State exchanged their messages of civility, and carried on the game for which he was suffering by the most approved rules of political manœuvre. Anselm felt most strongly the necessity of releasing the Church from the feudal yoke, but his line from the first had been, not his own view of the matter, but simply obedience to the law of the Church, as soon as it came before him, and to the Pope. Only let the Pope speak out, and he was ready (as he showed afterwards) to abide by his decision. “You tell me,” says he in one of his letters to England, with unwonted sharpness, “that they say that I forbid the king to grant investitures. Tell them that they lie. It is not I who forbid the king; but having heard the Vicar of the Apostles in a great council excommunicate all who give or receive investiture, I have no mind to hold

communion with excommunicates, or to become excommunicate myself." But Paschal's policy was a cruel and embarrassing one: with his hands full at home, he was afraid of the king of England, the son of him who had kept Gregory VII. at bay; his words were strong, but he shrunk from acting. He had confirmed and republished most emphatically and without exception the canons against investiture, and solemnly declared his intention to enforce them. Henry from the first had held but one language—he wanted no compromise, "nothing in the world should make him give up his usages." And yet Paschal had allowed, or rather encouraged, embassy after embassy in endless succession, to come with its hollow compliments and unvarying message, and to return, as it was intended, with a letter of expostulation, or at most distant menace. Nothing could better suit with Henry's wishes and policy: and thus Anselm, whom the Roman court was well content to see the champion of ecclesiastical liberty, was in reality left to fight his battle as he best could, alone—with words indeed of respect and praise, but with little hearty aid, and with instructions which, he complained, only embarrassed him.

And in England friends and foes alike tried his patience, teasing, mistaking, and criticising him. The king, greatly relieved by his absence, sent fresh embassies to Rome, and seized the archbishop's revenue for his own use, as if he had been a convicted traitor: "yet," says Eadmer, "with consideration and tenderness." At the same time in his letters he was as bland and smooth as ever;—so full of respect and attachment to Anselm, so grieved that he could not be with him as Lanfranc had been for many years with his father. Meanwhile he had no objection that Anselm should be allowed what was "convenient" out of the revenues of Canterbury. But Anselm's questions to him as to his intentions for the future were asked in vain. Then, on the other hand, Queen Matilda—"good queen Molde"—amiable, warm-hearted, religious lady, could not live without her venerable confessor. She could not understand why he should stand out so obstinately against her lord and master's kind wishes. She argued with the archbishop "to soften what with all respect she must call his iron heart." She incessantly importuned him, with a lady's impatience of reasons and means, to find "some way by which neither he might do wrong, nor the rights of majesty be infringed." His poor monks too at Canterbury were sore beset by the king's exactions; they were perplexed in conscience, jealousies and complaints were becoming rife, every thing was getting into disorder; they wanted their head among them, and their very loyalty and affection made them fretful and peevish, that in spite of the king he did not return. Letter after letter he had to write to

Prior Ernulf, and to "his dearest brethren and children," quieting their fears, exhorting them to manly endurance, soothing their pettishness, cheering them with hopes of the future—remembering especially, in his characteristic way, the young boys and children, and sending messages to them, "not to forget what they had heard from him." Himself the greatest sufferer, all looked to him to receive their complaints, to keep up their spirits, to throw himself into their difficulties, and point out a clear way out of them. Distrust, irritation, perplexity, all found their way to his ears. The sufferings and scandals of the day were all laid at his door—thrown in his teeth by ill-nature, gossip, or impatient zeal. "Was he so holy that he could not do as Lanfranc had done?" "Was he such a coward as to fly from his post at the word of one William?" "How could he bear the thoughts of the judgment seat, and the souls which he might have rescued by his presence in England?"—Such were the questions addressed to him by his own party, while critics of another sort charged him with "letting wicked clerks invade and lay waste the Church without rising up against them,"—while—what was only less mischievous and culpable than his negligence—he was depriving the king of his rights. The trouble which he endured shows itself in his correspondence, in the quiet nervous plainness of language which marks struggling but repressed vexation. His great comfort during these years of exile was the steady attachment of Gundulf, Bishop of Rochester. He was not a man to take a lead or throw much weight into either scale in a contest like the present; but in him the archbishop had a friend who had long loved and revered him—in whom he could place most implicit confidence; a man of plain good sense, whose unpretending yet active services in matters of routine business he could always count on.

At length, after waiting a year and a half at Lyons, Anselm resolved to act on his own responsibility. The king of course showed no intention of yielding, or of giving up the archiepiscopal revenues which he had seized. The utmost the Pope would do, after all the delay, was to excommunicate by name the king's advisers, the chief of whom was the crafty Earl of Mellent. The king's sentence was delayed, so he wrote Anselm, "because another embassy (the second since Anselm had left Rome) was expected." "On receiving this letter," says Eadmer, "Anselm saw that it was useless waiting at Lyons for help from Rome, especially as he had repeatedly sent agents and letters to the Pope about the settlement of this business, and up to this time nothing was vouchsafed to him, save from time to time a promise of something, held out by way of consolation." For the third time he had called upon Henry to restore the lands of Canterbury. "The cause

is not mine but God's, entrusted to me, and I fear to delay long to cry to God. Force me not I pray you, to cry sorrowfully and reluctantly, 'Arise, O God, and judge thou thy cause.'" Henry had returned no answer save his usual smooth evasions—*blandientem sibi dilationem*: and Anselm then resolved to approach the borders of Normandy and fulfil his threat.

This alarmed Henry: an excommunication from Anselm at this time would have been a serious embarrassment to him. He had enemies enough on all sides looking out for an opportunity of attacking at advantage a power "which was not loved over much," *potestatem non adeo amatam*,—which threatened or had injured them. And he was besides on the point of attempting the conquest of Normandy. His sister the Countess of Blois mediated, and a conference was arranged between him and the archbishop at a castle called L'Aigle. Henry was all respect and complaisance,—expressed the greatest delight at meeting Anselm, and would always go himself to the archbishop's quarters, instead of sending for him. The result was that the revenues of the see were given up, and Anselm restored to the king's favour.

But things were far from being settled. Henry was not a man to yield while a single chance remained to be tried. The old question was still open; there must be fresh communications with Rome, which were put off as long as possible. Meanwhile Anselm could not return to England. Henry made the most of the interval. He was just at this time in pressing need of money for his war in Normandy: and the Church of course did not escape "in the manifold contributions, which never ceased, before the king went over to Normandy, and while he was there and after he came back again."* Henry had some skill in inventing, on such emergencies, new "*foris-facta*"—matters for fine and forfeiture—questions for the "*Curia Regis*" to settle between him and his lieges. On this occasion he was seized with a zeal for Church discipline. Many of the parochial clergy were living in disobedience to the canons of a late synod at London, which had forbidden clerical marriage: "this sin the king could not endure to see unpunished." So to bring the offenders to their duty, of his own mere motion, he proceeded to mulct them heavily. The tax, however, proved unfortunately not so productive as he had anticipated; and therefore changing his mind, he imposed the assessment on the whole body of the parochial clergy, innocent as well as guilty throughout the kingdom. Anselm expostulated; the offending clergy ought to be punished, he said, not by the officers of the Exchequer, but by their bishops. Henry, in his reply, is much surprised at the archbishop's objections; he thought he was only doing his work for him, labouring in his cause;

* Saxon Chron.

but he would see to it; 'however, whatever else had happened, the archbishop's people had been left in peace.'—But as to the mass of the clergy, seizures, imprisonment, and every kind of annoyance, had enforced the tax-gatherer's demands. Two hundred priests went barefooted in procession, in alb and stole, to Henry's palace, 'with one voice imploring him to have mercy upon them;' but they were driven from his presence—"the king perhaps was busy." They then, clothed with 'confusion upon confusion,' besought the intercession and good offices of the queen: she was moved to tears at their story, but she was afraid to interfere in their behalf. And what is a still greater proof of Henry's tyranny, the court party of the clergy, and, among them, the excommunicated bishops, were at last beginning to turn their eyes towards Anselm. A letter was sent to him about this time, signed by several of the bishops, entreating him to return, as the only means of remedying the misery of the English Church. "We have waited for peace, but it has departed far from us. Laymen have broken in even to the altar. . . . Thy children," they continue, "will fight with thee the battle of the Lord; and if thou art gathered to thy fathers before us, we will receive of thy hand the heritage of thy labours. Delay then no longer; thou hast now no excuse before God: we are ready not only to follow, but to go before thee, if thou command us . . . for *now* we are seeking in this cause, not what is ours, but what is the Lord's." Among the names attached to this letter are those of Gerard of York, Herbert of Norwich, and Robert of Chester.

At length the envoys returned from Rome with Paschal's final instructions to Anselm. He was firm in prohibiting investiture, but yielded the point of homage: "We must stoop," he wrote to Anselm, "to raise the fallen; but though in doing so we are bent, and appear to be falling, we do not really lose our uprightness." Anselm felt as strongly about homage as about investiture; but it was his duty to obey, and he prepared to do so. He was long detained in Normandy by a desperate illness; for his health, never strong, was now completely broken by anxiety and hardship, and Henry began to fear that he should after all lose the credit of his reconciliation and reluctant concessions, and should have to bear the odium of having driven a man, whose character and prolonged sufferings had been year after year rousing more and more the sympathy of England and France, to die in exile. But Anselm recovered, and in the autumn of 1106 returned to England. A further delay of a year took place before matters were adjusted. Henry was during part of this time in Normandy, where the decisive battle of Tinchebrai placed his brother Robert and his dominions in his power; and later, the presence of Paschal at the

council of Troyes gave the king a new pretext for postponement. At length, on the first three days of August, 1107, a great council was held in London, where the subjects in question were debated between Henry and the bishops, the archbishop not being present. A party among the bishops still held out for the old usages, but they were overruled. Henry, in the presence of Anselm, and in a larger assembly, to which the commons were admitted, solemnly "allowed and ordained that no one should hereafter for ever receive investiture of bishopric or abbey by ring and crosier from the king, or any lay hand;" and Anselm agreed not to refuse consecration to bishops or abbots who had done homage to the king for their benefices.

So ended Anselm's long battle, just soon enough to give him a short breathing time, before he was called away. And now what good came of the result? was it a victory? was it worth the gaining?

Dr. Lingard thinks cheaply of it;—"on the whole, he says, the Church gained little by the compromise. It might check, but it did not abolish the principal abuse. If Henry surrendered an unnecessary ceremony, he still retained the substance. The right he assumed of nominating bishops and abbots remained unimpaired."

This is an easy view of the subject, and perhaps a convenient one, when writing in the nineteenth century in behalf of churchmen of the twelfth: it may produce a better impression of them to underrate their claims and what they achieved; to represent Anselm as, "in the true spirit of conciliation, giving up part of his pretensions," and treat the king's reluctant submission as the mere "surrender of an unnecessary ceremony;" but we fear that this position is not tenable. The Church of those days did aim at, did gain, did use more power than Dr. Lingard would imply. Investiture was held too pertinaciously, to have been a mere "unnecessary ceremony," to have been given up without defeat. What Anselm did—what all parties then felt to be a triumph—was, *to break the prescription of feudalism*: a prescription which delivered up the Church, bound hand and foot, to the will of rulers, who could no longer be trusted; against whose corruption and usurpation there was no ordinary remedy. The dangerous tendencies of the day were, not completely indeed, but in a real and marked manner, checked. It was settled that the Church was not irrevocably bound up with the doctrines of the feudal law. When Henry gave up investiture, he broke in, as he truly felt, on a great system; he surrendered what not merely *reminded* the Church of his power over her, but what actually, as things were

then, gave him a title to command unqualified obedience from the clergy, and made resistance to his will treason. Homage indeed remained—a very solemn form of surrender of “life and limb, and earthly worship;” but it remained broken off from the other ceremony with which it had been so long connected, without meaning, or forced into a new one—an anomaly, a mere form of common fealty, a memorial of power lost—an engagement, which in its old stringent shape, the common lawyers of succeeding reigns came to see was “inconvenient,” in a “man of religion, for that he hath professed himself to be only the man of God.”* This, almost more than the question of nomination, was the vital point to establish—even if elections had remained as they had been, it would have been a victory to carry it. But, in truth, the king’s *exclusive* right of nomination was naturally and of course very much affected also. For where the State recognizes the Church, the election of her rulers, even if popular in theory, cannot but be the result of mixed influences: no practical man in the eleventh or twelfth century dreamed of excluding altogether the king’s voice—the question was one of checks and counterbalances, however at times it might be strongly and nakedly stated. Whatever therefore weakened the king’s hold on the bishops as mere feudal vassals, weakened also his claim to exclusive nomination, and let in, in varying measure, the influence of the Church. The claim, indeed, even in William the Conqueror’s time, seems never to have been more than a customary act of power, without any such pretext of legal consistency as the claim of investiture; it was a claim much like that of a great landholder, or borough-proprietor, to return his member. But early in Henry’s reign, we hear of the form of election by the clergy and people;† that is, the acknowledged form, dormant apparently under the despotism of the preceding kings, revived of itself when Henry, in his early and unsettled days, promised liberty to the Church. His concession of investitures would practically have the same effect, and in a still greater degree. And it is probably to this practical effect, not settled by formal stipulation, because the right was not denied in theory, that Eadmer refers when he says of Henry,‡ that when he gave up investiture, he also left the

* Litt. ii. s. 86, v. Coke, who quotes the lawyers from Glanville (H. II.) downwards.

† Gerard of York, (Ans. Ep. iv. 2;) Roger of Salisbury, (Rudborne in Wharton, i. 274;) William Gifford, (Eadm. p. 64.)

‡ De Vit. S. Anselm, p. 25; Ans. Ep. ad Pasch. (iii. 181.) in Eadm. H. N. p. 78. “In personis eligendis nullatenus propria utitur voluntate, sed religiosorum se penitus committit consilio.”—So Peter of Blois, in his Continuation of Ingulph, p. 126, “Electiones prælatorum omnibus collegiis libere concessit.”

customs of his predecessors, and no longer elected prelates at his own will, (*per se elegit*), an account which is confirmed by a letter of Anselm to the Pope: while the influence which he still retained may account for William of Malmesbury's statement that he "retained the privilege of election." The election of Archbishop Ralph, Anselm's successor, supplies the best illustration of the change brought about in this respect. The king's influence, though visible and weighty throughout, is no longer the mere nomination of the Conqueror, or William Rufus: the voice of the Church, *both* through the bishops, and through the more immediate representatives of the common people—the monks—makes itself distinctly heard, and really affects the election.*

But after all, in the great battles of the world, it is not mere 'carrying points' which constitutes victory, and makes the combatant's toil and sufferings worth undergoing. Terms of accommodation and compromise are very far from showing always which is the winning, the rising side. To have enabled a cause to show its strength, or its greatness, to have palpably called out in its behalf wisdom, courage, faithfulness—heroic energy, heroic endurance—to have looked in the face for its sake what men commonly shrink from—to have resisted unto blood—this, even under outward disadvantage and failure, is really victory,—this is well worth the having, and in time will bear its fruits. In this contest, with more than a fair field—with all appliances of force and subtlety, short of open violence, with the vantage of prescription, with all the honour and power of England, bishops and barons, the strong hand and ready tongue, to second them, two kings tried their strength against the Church; for more than ten years they did their best to beat down a cause upheld mainly by the conscience and fortitude of one old man. They were no triflers—they had laid down their stake and contested it stoutly;—and, in the face of all England, they lost it. Was this little to gain? was it little for the weak and defenceless to have not only resisted, but to have overcome the soldier's sword and statesman's craft?—little for the Church to have made itself felt against such odds? Were Norman barons and a Norman king *fainéants* and mere devotees, that it was a small matter for a monk to have made them acknowledge, that there was a power about them, spiritual only and intangible, which it was not enough for them to honour with words and forms, in churches and ceremonies, but to whose control too they must bend in matters of serious business? Is it such an every-day occurrence for a religious party to bring a resolute

* Eadmer, H. N. p. 86, Wil. Malm. de Gest. Pontif. i. p. 230. "In commune arbitrium refudit electionem." Vid. also the election of William of Corboil, in Sax. Chron. a. 1123.

and able statesman against his will to a compromise? Was it possible that Anselm, who had twice sailed from England in disgrace, leaving behind him the sympathies of few, besides monks and Saxon churls, should, after ten years of banishment, return—the same old monk, with his monkish retinue, though greeted and ministered to by the Queen of England—and should have his cause allowed in full parliament, by his most violent opponents, by King Henry himself, without impressing on his age, in a way not to be at once forgotten, that the spiritual claims of the Church were a reality of some consequence; that an archbishop of Canterbury might be something more than a venerable old man in rich vestments, whose chief business was to place the crown on the king's head at the high tides of the year.

He broke a spell—he showed that, though the days of martyrdom were gone by—so he thought,* rather prematurely perhaps,—men of consequence and name, guests in kings' palaces, accustomed to be treated with tenderness, and spoken to softly and honourably, might still in sober earnest have to rough it for a bare principle. A needful lesson often, when society has got into fixed ways, and takes high truths for granted; when those truths have become mixed up with matters of every-day business—things to be seen and felt, ceremonial and etiquette, made ready by the hands of men—about which they laugh, or gossip, or yawn, or, still worse, cheat and lie. This atmosphere of custom and commonplace has a sad effect in tarnishing the glorious and heroic—in confounding the great and the little—in making it unpractical and visionary to do anything, “but go on as we have been going.” So things remain, till they sink into ruin, or till amid dulness, and wrong headedness, and quackery, some man of free and genuine mind discerns what is really noble and worth exalting, and is willing, at the risk of at least being called a bigot or an enthusiast, to sacrifice himself to it. Anselm had got hold of such a principle—he saw in it the cause of purity and sincerity—the cause also of the despised and friendless, against the great and lordly. Providence, instincts, the voice of the Church, seemed to entrust it to him, and nothing could scare or lure him away from it. There might be much to say against his course—the usages were but forms and trifles—or they were an important right of the crown, and to assail them was usurpation and disloyalty—or it was a mere dream to hope to abolish them—or they were not worth the disturbance they caused—or there were worse things to be remedied; difficulties there were no doubt: still, for all that, he felt that this was the fight of the day,

* Ep. iii. 90. “At nihil horum super me cadet.”

and he held on unmoved. Through what was romantic and what was unromantic in his fortunes—whether the contest showed in its high or low form—as a struggle “in heavenly places” against evil, before saints and angels, with the unfading crown in view—or as a game against cowardly selfishness and the intrigue of courts;—cheered by the sympathies of Christendom, by the love and reverence of crowds which sought his blessing—or brought down from his height of feeling by commonplace disagreeables, the inconveniences of life—dust, heat, and wet, bad roads, and imperialist robbers, debts and fevers, low insults and troublesome friends—through it all, his faith failed him not: it was ever the same precious and ennobling cause—bringing consolation in trouble—giving dignity to what was vexatious and humiliating.

It was her own fault if the Church gained little by the compromise, and by so rare a lesson. In one sense, indeed, what is gained by any great religious movement? What are all reforms, remedies, restorations, victories of truth, but protests of a minority—efforts, clogged and incomplete, of the good and brave, just enough in their own day to stop instant ruin,—the appointed means to save what is to be saved, but in themselves failures? Good men work and suffer, and bad men enjoy their labours and spoil them: a step is made in advance—evil rolled back and kept in check for a while, only to return, perhaps, the stronger. But thus, and thus only, is truth passed on, and the world preserved from utter corruption. Doubtless bad men still continued powerful in the English Church—Henry tyrannized, evil was done, and the bishops kept silence—low aims and corruption may have still polluted the very seats of justice—gold may have been as powerful with cardinals as with King Henry and his chancellors—Anselm may have overrated his success; yet success and victory it was—a vantage ground for all true men who would follow him; and if his work was undone by others, he at least had done his task manfully; and he had left his Church another saintly name, and the memory of his good confession enshrining as it were her cause, to await the day when some other champion should again take up the quarrel—thus from age to age to be maintained, till He shall come, for whom alone it is reserved “to still” for ever “the enemy and avenger,” and to “root out all wicked doers from the City of the Lord.”

The struggle ended, Anselm applied himself during the short time that was left him to carry out those great objects, which had given importance to the contest—the reformation of the clergy and the protection of the poor: and to do Henry justice, it must be said that in the latter point, while the archbishop lived he seconded

him vigorously. But Anselm's task was now ended. Soon after his return he buried his friend Gundulf, and in little more than a year, he followed him. We shall give the account of his last days in the words of one, who had shared his sufferings, and who watched by his death-bed, the monk Eadmer.

"During these events," (the final settlement of his dispute with the king,) "he wrote a treatise 'concerning the agreement of Foreknowledge, Predestination, and the Grace of God, with Free-will.' In which, contrary to his wont, he found difficulty in writing: for after his illness at Bury St. Edmunds, as long as he was spared to this life, he was weaker in body than before; so that, when moving from place to place, he was from that time carried in a litter, instead of riding on horseback. He was tried also by frequent and sharp sicknesses, so that we scarce dared to promise him life. He however never left off his old way of living, but was always engaged in godly meditations, or holy exhortations, or other good works.

"In the third year after King Henry had recalled him from his second banishment, every kind of food by which nature is sustained became loathsome to him. He used to eat however, putting force upon himself, knowing that he could not live without food; and in this way he somehow or another dragged on life through half a year, gradually sinking day by day in body, though in vigour of mind he was still the same as he used to be. So being strong in spirit, though but very feeble in the flesh, he could not go to his oratory on foot—but from his strong desire to attend the consecration of our Lord's Body, which he venerated with a special feeling of devotion, he caused himself to be carried thither every day in a chair. We who attended on him tried to prevail on him to desist, because it fatigued him so much: but we succeeded, and that with difficulty, only four days before he died.

"From that time he took to his bed; and with gasping breath, continued to exhort all who had the privilege of drawing near him, to live to God, each in his own order. Palm Sunday had dawned, and we, as usual, were sitting round him; one of us said to him, 'Lord Father, we are given to understand that you are going to leave the world for your Lord's Easter Court.' He answered, 'If His will be so, I shall gladly obey His will. But if He will rather that I should yet remain among you, at least till I shall have solved a question which I am turning in my mind, about the origin of the soul, I should receive it thankfully, for I know not whether any one will finish it when I am gone. I trust, that if I could take food, I might yet get well. For I feel no pain anywhere—only a general sinking, from weakness of my stomach, which cannot take food.'

"On the following Tuesday, towards evening, he was no longer able to speak intelligibly. Ralph, Bishop of Rochester, asked him to bestow his absolution and blessing on us who were present, and on his other children, and also on the King and Queen with their children, and the people of the land who had kept themselves under God in his obedience. He raised his right hand, as if he was suffering nothing, and made the sign of the Holy Cross; and then drooped his head and sunk down.

“The congregation of the brethren were already chanting matins in the great Church, when one of those who watched about our Father, took the book of the Gospels, and read before him the history of the Passion, which was to be read that day at the mass. But when he came to our Lord’s words, ‘Ye are they which have continued with me in my temptations, and I appoint unto you a kingdom, as my Father hath appointed unto me, that ye may eat and drink at my table’—he began to draw his breath more slowly. We saw that he was just going: so he was removed from his bed, and laid upon sackcloth and ashes. And thus, the whole family of his children being collected round him, he gave up his last breath into the hands of his Creator, and slept in peace.

“He passed away, as morning was breaking, on the Wednesday before the day of our Lord’s Supper, the 21st of April, in the year of our Lord’s Incarnation 1109; the sixteenth of his pontificate and seventy-sixth of his life.”

Such was his end: there is nothing remarkable about it—nothing apparently to distinguish it from the last hours of many whom we may have known familiarly ourselves; nothing to fix upon, but a kind of homely quiet, an unconscious readiness, without emotion or effort of any kind, to meet the future. Death is at the door—yet he seems to be but continuing his wonted tenor of life, as when he was a monk at Bec—there is no break; he seems not to feel anything unusual to be coming on—he talks of death as of some mere ordinary hindrance to his work. The combatant, the confessor, the veteran of ten tempestuous years, is there, just finishing his course: but all traces of the storm and battle have disappeared; there is no scar to be seen—no heaving of the waters—no look thrown back to the past, or forward to the future. For God he has suffered and toiled—to Him he leaves the Church; his own share in the work done, he has fallen back, as of course, into his old ways of living and thinking. He says little; but one thing is evidently filling his thoughts, the contemplation of the mysteries of the faith; and at the end he seems to vanish, he “passes away,” amid chanting of psalms and gospel lessons, sacraments and blessings, sackcloth and ashes—the accompaniments of his every day life. Strange contrast to the thrilling and awful scene which closed with such grandeur the career of the next confessor of the Church.

ART. V.—1. *Examination of an Announcement made in the Prussian State Gazette, concerning the “ Relations of the Bishop of the United Church of England and Ireland in Jerusalem,” with the “ German Congregation of the Evangelical Religion in Palestine.”* By a Member of the Church of England. Oxford: J. H. Parker. London: Rivingtons.

2. *A Vindication of the Proceedings relative to the Mission of Bishop Alexander to Jerusalem.* By the Hon. and Rev. A. P. Perceval, B. C. L., Chaplain in Ordinary to her Majesty. London: Rivingtons.

THE appearance, since our last number, of two pamphlets on the question of the Jerusalem Bishopric, one from Mr. Perceval in its defence, the other from Mr. Palmer, of Magdalen College, on the opposite side, forces our attention again to this subject.

The terms of this projected alliance between the English Church and the Prussian Evangelical Communion were finally arranged last August, between the Archbishop of Canterbury and the King of Prussia; these pamphlets are commentaries upon the arrangement. We shall take this opportunity of reviewing the whole proceeding, and in doing so shall borrow considerably from the argument in Mr. Palmer's publication.

It was of course impossible, on the first view of such a project, that it could be framed, and the experiment made, without exciting the most anxious feelings of Churchmen. For three centuries had our Church gone on without any formal attempt at an alliance with foreign Protestantism; it was a most important, most essential point to be informed of, what ground and what principles the the first attempt in this direction assumed; whether in a union entered into between a Church, an apostolical episcopal body, and a self-formed Communion, the one or the other gave way? whether episcopacy gained its new ally by enforcing its apostolical claims, or by abandoning them? whether the legitimate body raised the irregular, or the irregular lowered the legitimate body? whether the Church took sectarian, or sectarianism Church ground? It mattered not on how distant a field, or on how small a scale, the union might be made in the first instance, the principle was at stake; the ground adopted in Palestine must be carried on in Europe, and the whole relations of the English Church to foreign Protestantism be fixed by the scheme.

It is with extreme reluctance that we state what has been the issue, and which side has prevailed; that those who have conducted this undertaking, highly as we respect their individual character, do appear to us to have met their new allies by lowering episcopacy, and both in doctrine and discipline to have abandoned the

legitimate Church of England ground. Our Church is happily not committed by a step which was taken without any thing like synodical authority; but still her character suffers.

The unhappy state of theological Germany is too well known to require to be enlarged upon here. We need only state that the Protestant communions there do not compel subscription to any set of doctrines. On theological subjects the individual has his opinion, but the communion has no creed. Scepticism has been for the last two centuries eating into the very heart of their religious system, and though the last few years have witnessed a reaction from the hard unbelief of the last century, the improvement has as yet advanced little beyond "supernaturalism," or the defence of the Bible miracles, as *bonâ fide* supernatural events, against the extreme rationalistic explanation of them.

In *doctrine* the most appalling latitudinarianism prevails; and the strongest supernaturalist thinks he has a right to choose his own articles of belief, and deny what the churchman and even the orthodox dissenter here consider absolutely essential. Talk to a moderate well disposed Prussian pastor, he will agree with you as to the lamentable state of opinion in Germany; he will re-echo your sentiments against rationalism, and you begin to feel confidence, and to think yourself safely out of debateable ground, when all at once it appears that you have taken his views against rationalism for far more than he meant them, and that he is himself, in your idea, the most decided rationalist. "We do not think so much of the doctrine of the Trinity in Germany as you do," said a Prussian divine, after a conversation of this kind, "we regard it as a *secondary* doctrine." And it soon appeared that his doctrine of the Trinity was most vague as well as secondary. "We do not hold it in the same uniform way that you do," he continued; "e. g. I am myself a Sabellian." Formidable for its depth, pliancy, even more than its unscrupulousness, a latitudinarian spirit impregnates, as if by a subtle magnetism, the intellectual German atmosphere, and haunts every corner of the national mind. It has found a home, and, as the *genius loci*, has a pervading power, a ubiquity in its own world. Creeds, articles, confessions, dissolve under its quick influence; not so much resisted or thrown away as deprived of their essence, they only stay as crumbling meaningless forms to attest the triumph of the unbelieving intellect, which could change the one true faith into the endless jarrings of opinion; the one living body into dust. Modern theologians do not reject the creeds, they only take them in their own sense as certain forms and expressions of truth out of many others, useful in their day, variable descriptions of spiritual facts. Nothing comes amiss; the Apostles', the Nicene, the Athanasian

creeds are believed and are disbelieved at once, and truth is absorbed into a slippery comprehensiveness which admits every thing and can be tied to nothing, which slides in and out, winds, bends into every subtle curve and figure of an inexhaustible teeming metaphysics; mocking all statements and eluding all shape.

Without standard of doctrine, however, the German mind still aims at producing a unity of its own. It is ambitious of effecting without the creed what the Church Catholic effects by it; and the proud consciousness of its great depth and resources gives it a boldness and a vastness of aim which emulates even the strength of Catholicity itself, and which, intellectually speaking, has surpassed hitherto all the modern efforts of the Catholic world. A bold intense philosophy seems to itself to pierce through the shadows of dogmatic confessions into a world of unity beyond them, into which it would gladly lead and usher the enlarging intellect of mankind. Old forms and shapes of truth give signs of vanishing, old avenues of thought are gradually opening and expanding, a march is beginning and Germany is at the head of it; she feels her position, she recognizes her office, she invites the world to a unity of essence and not of form, a unity of heart and the heart's core,—to a deep, solid, interior unity, of which all the external kinds are merely the husk and shell. Follow me, is her call, and enter on the rich issue of this great struggle; I will lead you where Catholicity shall not need its trammels, or unity its wall and fold; where love shall reign without authority, and perpetual orthodoxy be secured by the absence of test. "Be happy," we were told from the "portals of Cologne," "in the fraternization of your different religious creeds, all one and alike in the eyes of the great Divine Creator."

These are the prospects which German theology holds out to tempt the world, and this is the tone she has assumed in the recent project which has aimed at allying her with our Church. Far from taking any thing like humble ground to begin with, or acknowledging any defect on her side in the character of her Church, which she wants us to supply,—far from saying she wants episcopacy, in order to rise to an equality with ourselves, she assumes a perfect equality in the first instance; and in tone takes the lead and fixes the object and the character of the alliance. By no single expression is it intimated that by having bishops we have any element of superiority over her, any greater reality or legitimacy as a Church? Episcopacy, regarded simply as one *form* of Church government, is taken as a convenient medium in establishing a connexion between the two communions. The object of that connexion is believed to be simply one of expediency for the purpose of union and strength. Bodies are stronger united

than separated say they; here we are at present two bodies, why should we not make our alliance like two equal independent states, upon a small and distant field to begin with, confining ourselves to the advantage of making a more imposing appearance in the East, and gaining firmer protection for our common brethren of the Protestant faith in those parts; but opening by such a step the way to our eventual union upon European ground, which will end in collecting all the Protestants of the world into one body? "Ought not the evangelical Church," runs the Prussian document, "as a member of the universal Church, to have a right upon the theatre of the origin of Christianity, to collect its worshippers, and to announce the evangelical truth according to her confession and liturgy?—Should not the evangelical Church of the German nation, as the mother of all evangelical confessions, in the land and origin of Christianity have rights commensurate to its dignity and greatness, beside the Latin and Greek Churches." It follows: "England possesses through her maritime power and commerce in the East, a weighty influence. Accordingly a union with England, whose Church by origin and doctrine is most intimately akin to the German Evangelical Church, offers itself as the surest means of attaining so important an end, to proceed upon the basis that evangelical Christianity should present itself under the protection of England and Prussia to the Turkish government as a unity." The episcopacy which we supply is most significantly deprived, on every occasion of its mention, of every feature of a divine and essential office; the "young divines" from Germany are supposed to go out to Palestine entirely upon their own mission, or the mission of their communion; and finding themselves there to accept the protection of a bishop only, "in order to obtain a greater freedom of action, and a more successful result of their labours." As it approaches the ultimate object and real meaning of the scheme, the document becomes warm, and the German idea explains and unfolds itself in the enunciation of the great principle, that "the diversities of Christian worship according to tongues and races, and according to the peculiarities and historical development of each nation, that is to say in the evangelical Church, is upheld by a higher unity, the Lord of the Church himself; and in this unity, to which all diversities refer themselves as to their point of junction, rests the ground of true Christian toleration." In this march and progress of the new principle of unity, the "German Evangelical Church" appears throughout as leader and head; and this first step in the East is called the "development of the German Evangelical Church."

Such a prospectus, from such a quarter, a plan proceeding from

latitudinarian Germany, and so rife with all the formidable characteristics of her system, has awakened no jealousy or apprehension in those ruling and influential guardians of our Church, to whom it was offered. From first to last we hear no opposing hint on our own side, no suspicion of the claims and assumptions, no check to the full-length aims of our new religious ally. The entire recognition of the Prussian communion, as a real *bonâ fide* Church, has been the basis of the whole proceeding; a great step of which the claim just put in for our own Church, that its "constitution is more perfect" than that of other Protestant Churches, is but a poor qualification: the vital essential equality of the two communions remains untouched.

Upon this basis then of equality, similarity, identity of origin, and mutual respect, the two Churches proceed to their junction. On our side we "think it desirable that his Prussian Majesty should be thoroughly acquainted with the *relations in which the German congregations in Palestine will stand with respect to the bishop of the United Church of England and Ireland in Jerusalem*, and we take the liberty most respectfully to submit certain proposals to his Majesty." His Prussian Majesty, on his part, accepts these proposals, and as we read in the Prussian State Gazette, which gives the definite arrangements of last August on the subject of the bishopric, "is pleased to address to the minister of ecclesiastical affairs the following orders in respect to *the relations of the bishop of the United Church of England and Ireland in Jerusalem, with the German congregation of the evangelical religion in Palestine*." The relations!—Independent countries and states form relations, enter into treaties and compacts, political and mercantile, with each other, retaining at the same time their distinctness and individuality; but it is something new in ecclesiastical history for a self-formed body to join the Church in this way—the two congregations confronting one another, with their respective peculiarities and historical national developments and diversities, under one bishop; one congregation calling itself of the religion of the united Church of England and Ireland, and the other calling itself of the German evangelical religion. In this way, however, the German evangelical congregation, thinking themselves as true and complete a Church as any episcopal Church in the world, yet finding themselves near a bishop, enter into *relations* with him; and the "relations" in which these congregations are to stand to the bishop of the united Church of England and Ireland in Jerusalem are agreed on, and settled to their mutual satisfaction, by the King of Prussia on the one side, and the Archbishop of Canterbury on the other. As if, to put the case in another form, an Independent or Wesleyan congregation

in London, having come over to the Church, were to talk of the new Independent and Wesleyan "relations," "the relations in which the Independent and Wesleyan congregations in London, stand to the Bishop of London." As if again there were any other than *one* relation of a congregation to its Bishop, that one *viz.* which was instituted when Christianity was founded. One might imagine from this document that there were an endless variety of such, that a congregation might stand in any given relation whatever to its bishop, and it were a matter of compact and arrangement beforehand between the contracting parties, of a bishop and a congregation, what "relations" they should stand in to each other.

What follows both on the Prussian and English side completely carries out this idea. The entering into these "relations" is described as being a matter of the merest choice and inclination, and in no sort of way obligatory: and those "young German divines," and "those congregations of the German Protestant faith," who are "*inclined* to place themselves under the jurisdiction of the latter—who think it *desirable* to avail themselves of the offers contained in the letter of the Archbishop of Canterbury—who are *willing to accept* the protection and care of the bishop of the United Church of England and Ireland," are informed that the "bishop will consider it his duty to receive them, and to afford them all the support in his power."

From this optional ground arises a series of consequences as anomalous and grotesque as can be imagined. If there are young divines of the German evangelical religion, who use their freedom of choice to accept the pastoral care of the English bishop, there may be also divines, young or old, of the same religion, who may use the same freedom to decline it. These two sets of divines, with their respective congregations, are of course in perfect communion with each other, inasmuch as their point of disagreement is merely one of taste and judgment; and they are both consequently equally in communion with the English bishop. The congregations of the German evangelical religion who accept the pastoral care of the bishop, and the congregations of the German evangelical religion who decline it, simply differ in this, that the one have the advantages which accrue from his pastoral care, and the other have not. And of course with respect to the congregations who have accepted it, any day that they discover, or fancy they discover, that the advantages of such care and support on the bishop's part are outweighed by the difficulties and annoyances of obedience on their own; any day that these optional German evangelical episcopals come to a difference or misunderstanding with their bishop, they may abandon his pastoral care, may leave him altogether as

their bishop, still remaining in his communion. For all that can be said of them even then is, that they are German evangelical congregations *not* under his pastoral care, and congregations similarly circumstanced have been in communion both with them and with him from the first.

To turn to the European field. These German divines, who have received ordination from and been under the English bishop in Palestine, return to their native country; they, of course, officiate in the Lutheran churches there; what is there to prevent them? They cross over to England; they officiate in the Lutheran chapels in London: what is there to prevent them! Nothing clearly on the ground of principle; and the notion of merely arbitrarily, forcibly preventing a German minister, a foreign visitor, from officiating among his brethren in this country, is too absurd and preposterous to be long allowed. We have a clergyman then of English Episcopal ordination, officiating in the parish churches and in the Lutheran chapels in London at the same time: there is no impediment in the system to it. The consequences extend. The Independent, Wesleyan, and other dissenting congregations, have precisely the same Presbyterian origin and succession, stand on the same ground with the Lutheran; if he officiates in the one, why should he not in the other? These results follow self-evidently in principle; and nothing but the express and definite interference of the legislature can prevent them from being carried into act. And the clergy or congregations of our Church are thus brought into a position with respect to dissenting bodies, which makes a mere invidious shackle and dead form of the present exclusive system; a position which must, if carried out, lead to a promiscuous use of each other's pulpits by the clergy and dissenting ministers, and merge the English Church eventually in some union of all denominations, and wholesale latitudinarian state-establishment.

Episcopacy was formerly in danger of being openly beaten down and trampled upon: it is now in danger of being undermined. The Puritans erased it from the Christian scheme as a popish corruption, and levelled the dogmas of Presbyterianism at its very existence. With less show of force and rivalry, but far deeper subtlety, German theology is content if it can incorporate it into its own system, and reduce it to a membership in the great family of Church polities. To the German eye Episcopacy presents itself as a fact, a plain fact, standing upon the surface of the Christian world. That Episcopacy has gone on for ages, that it seems inclined to go on indefinitely longer, is a fact. A deep philosophy does not despise such phenomena. From the issue of the struggle, which left Puritanism, after all its furious assaults,

upon this mighty rock, to ebb into insignificance and decay, a miserable effete system, it has drawn a solid lesson : far from attacking Episcopacy, it will admit, embrace it with open arms, will entice, with fond aspect and smiles, into its bosom, that reverential principle which looks up to authority and longs for a head, and will modify and enlarge its external system, to gratify all the cravings and prepossessions of the Christian mind ; will set up its new evangelical bishop, its flexible personification of Presbyterian Independent Episcopalianism, and encourage the genuine Episcopalian to *think* himself under a Bishop, and the Presbyterian to think himself under a Presbyterian, and the Independent under nobody. “ This theory of the Evangelical Church and religion,” says Mr. Palmer, “ presents to our view a truly wonderful combination of the most opposite principles. Viewed from one point, it has the appearance of divine authority descending from above, teaching and forming through sacraments a Church. By those who are ‘ willing ’ so to view it—to ‘ place themselves ’ under the jurisdiction of the bishop as laymen or young divines, to seek his ordination, and to accept his mission and pastoral care after ordination—there may be realized subjectively the whole system of ‘ Catholicism ; ’ while, if any young divines, after having sought and obtained his ordination, or any elder divines ordained in Germany, are not willing, or do not think it desirable, to accept his pastoral care, to those also the bishop is just so much as they desire, and no more. Men desire Orders of him ; so far, then, has he authority to give Orders : they have obtained them, and now desire not to be subject further to canonical obedience ; his claims over them, so far as any binding necessity is concerned, shrink to the dimensions of their own will : they are free to act independently of him, and to realize to themselves the whole theory of Presbyterianism or Independency, either in Palestine or in Germany, without at all thereby forfeiting his communion. Again the laity, whether young divines or others, may submit to him and to his clergy as ‘ Catholics ’ if they please, or may follow clergy who act apart from him either in bodies, as Presbyteries, or singly, as Independent ministers ; and so may resemble Presbyterian or Independent laity, without at all ceasing to be of the evangelical religion, or losing the communion of the bishop. The bishop himself is to the clergy, whom he has ordained, and who choose to obey him, and to the laity who choose to be under both him and them, identical with a ‘ Papist ’ or ‘ Catholic bishop to any extent they may desire, except in uncharitable exclusiveness, or anathemas against heretics : to Presbyters, who do not choose to obey him, and to flocks, who choose to follow a company of such Presbyters, he is as a Presbyterian of the Presbytery, so far at least as communion is concerned : to indi-

vidual Presbyters who follow neither him or any Presbytery, and to flocks, who listen to them, he is as a brother Independent Minister. But herein lies the wonder and the novelty, that whereas the first Presbyterians, having once shown that they were not willing to place themselves under nor to accept the pastoral care of bishops, were cut off by them from communion, and were obliged to subsist as a separate church or 'congregation' by themselves, and to begin a new succession of their Presbytery or pastorate by Presbyterian ordination,—and whereas the first Independents, having once shown that they were 'not willing' to accept the pastoral care either of bishops or Presbyteries, were cut off by them, or rather voluntarily went out of themselves from their former communion, and subsisted thenceforth as a separate 'denomination,' beginning a new 'ministry' of their own by lay ordinations,—all the disagreements of the three systems are now reconciled, as it would seem, and all their separations united in one communion by the true evangelical religion. The bishop, by authorising and recognizing the principle of rebellion, both for priests and laity, makes it cease in a manner to be such; he ordains (whether in Palestine or Germany it matters not) Presbyterian and Independent ministers alike, who, with their flocks, equally enjoy his communion, and derive authority, which they are pleased to accept, from him, and liberty, which he allows them the right to take, from themselves. Thus the Presbyterian and Independent systems evolve themselves in harmony with the Episcopal, as from one root; and every shade of faith and opinion, together with every 'form of Church government,' to which Episcopal toleration may be extended by a charity which anathematizes nobody, own the evangelical bishops as their common centre of union and communion, their common source of religious respectability and political protection." So much for the new Episcopalian philosophy, of which the Jerusalem Bishopric is the first sample and fruit. We may be excused, if we find it somewhat difficult to recognize the primitive office under such a shape. What an apostolical bishop is we know; what the Episcopacy, which has taught and governed the Church from the beginning, is, we know, and all the world knows; but this new comprehensive flexible institution, this "Evangelical Episcopacy," shows very few traces of the Episcopacy Apostolical.

In this way has the subtle laxity, and the commanding comprehensiveness of the master system, the boldness and power of a full developed Lutheranism, carried it over the more moderate Protestantism of our own country. A strong and a weak, a consistent and an inconsistent system, have come into contact, and the issue only shows what it is in vain perhaps to think ever

can be otherwise, that the latter has gone to the wall. With respect to the doctrinal state of Germany—it hardly, if we may judge from appearances, seems to have been considered at all; we form an alliance with the very home of rationalism, and we treat with her as if she were a pure spotless daughter of the primitive Church, an unsuspecting follower of the faith of the first century: we proceed upon a complimentary *hypothesis*, to the neglect and defiance of open, palpable, notorious, wide, world-spread facts. We proceed positively as if we had no eyes or ears, as if facts were nonentities, as if we could make and unmake them as we pleased. We take her “young divines” straight out of the very atmosphere of scepticism, and the penetrating influence of a system which nullifies and negatives all creeds and confessions, explains them away into anything or nothing, and we suppose them to be “duly qualified” for the ministerial office, and “thoroughly grounded” in right doctrine, and merely hand them over to the bishop for that last comparatively trivial examination which only confirms what is already all but certain—they sign our articles, upon any internal metaphysical theory they please, and are instantly ordained ministers of our Church. German Protestantism in fact has dictated her own terms, and they have been quietly acquiesced in; she has taken the lead and we have followed; she has towered and we have bowed; she has shown the management and power of a master mind, has had it all her own way, has designed, has created, has appointed us our place in her system, has possessed herself of our *fact*, got our episcopacy out of us; and now that she has got it, she thanks us, is duly grateful for our kindness and our bounty, but gives us to understand that we have imparted our strength and made her mistress. We can raise no exception now to her imperial guidance—her course has been hitherto to amalgamate doctrines, it is now to amalgamate disciplines; the march is quickening, the ground is clearing, and she drags us after her into her ever-widening system and domain of facts, her thickening union of Trinitarianism, Arianism, Sabellianism, Episcopalianism, Presbyterianism, Independency—all the phenomena of spiritual and ecclesiastical life flourishing in one rich expansive circle of harmony and peace. Far be it from us for one instant to assert that the agents in this affair, in our own Church, have had any other designs in conducting it than were strictly consonant with the fullest integrity and purity of the faith; but we cannot disguise to ourselves the ultimate consequences of such a scheme as this, carried on upon its present ground. And though it would be hypocrisy in us not to see that the views we have expressed, should they by any accident come to their notice, must be distasteful to some venerable and influential persons, we beg to say empha-

tically we cannot avoid expressing such views. We cannot avoid seeing that a step has been taken, which the Church of England could not commit itself to sanction, without hazarding its very existence as a Church. And that love and duty which in common with all her sons we owe her, compels us to raise a strong, grave and earnest protest against the first approach to that downward course, which would merge her eventually in the vague, barren, hopeless, shoreless, latitudinarian ocean of foreign Protestantism.

We must add that the present scheme runs as strongly counter to the positive and express canons of our Church, as it does to fundamental Church principles. Bishop Alexander goes on his mission to the East, a suffragan of the Metropolitan See of Canterbury, a bishop as much bound to obey all the rules of the English Church as any other bishop or clergyman in it. Yet, in violation of the clearest canons upon the subject, the liberty is obviously contemplated, as one which circumstances may render convenient, of his admitting to the Holy Communion persons whose regular baptism even he cannot be certain of, and who he knows have never been confirmed. Our Church regards confirmation as absolutely necessary, where it can be procured, previous to receiving the holy communion: "there shall none be admitted to the holy communion," says a rubric, which every one who has a Prayer-book and will turn to the end of the Confirmation Service may read, "until such time as he be confirmed or be ready and desirous to be confirmed." Now Bishop Alexander in the published instructions is not indeed told *totidem verbis*, that he may disobey this rubric, but the liberty is as clearly contemplated as if he was. "Young divines, candidates for the pastoral office," are to exhibit to the bishop "a certificate of good conduct and of their qualifications." The bishop is then to "convince himself," by examination, of those "qualifications," and "of their desire to receive ordination." "And as soon as the bishop has fully satisfied himself on these points he will ordain the candidates, on their subscribing the three creeds," &c. &c. From first to last not one word is said about their confirmation.

Were the subject of confirmation indeed omitted altogether it might be said that Bishop Alexander's duty of acting up to the rubric in these cases was supposed and taken for granted, though not expressly enjoined, but the subject of confirmation *does* occur in these words—"With respect to the confirmation of *young persons* of such congregations in Palestine, the clergyman of the congregation will prepare them for that purpose in the usual manner." Now if so very matter of course a proceeding as the confirmation of children is yet made the subject of a special paragraph, and that, not to usher in any particular rule, but only

to say that it must be prepared for in the usual manner; surely *à fortiori*, the confirmation of elder persons and candidates for ordination, had it been designed, would have been mentioned or in some way alluded to. The subject of confirmation is introduced; and it is introduced only with reference to children, although the candidates for ordination and the elder members of the congregations, are known not to have been confirmed any more than the children. To any impartial mind we think the inference from such instructions must be clear; nor do we really imagine it would be denied by the party who drew them up. We do not really apprehend that those who made these arrangements would assert that it was actually and *bonâ fide* contemplated that Bishop Alexander should oblige the German "divines" before ordination, and the middle aged members of the German congregation before admission to the holy communion, to undergo the rite of confirmation.

We should not have been so particular in examining this passage had not Mr. Perceval adverted to it in his pamphlet, for the purpose of explaining away the plain and obvious impression which it bears upon the mind. "No warrant," says Mr. Perceval, "can be found in Scripture or the records of the Church for dispensing with imposition of hands—*therefore*—no such dispensation is aimed at here.—Bishop Alexander is not *forbidden* to administer confirmation to such—he is not *required* to admit them to communion without it. It is not to be *supposed* that in the face of Christendom he would commit himself to such a course, or be countenanced in it by the English episcopate." Now does Mr. Perceval really mean to say that the feeling on the subject of Church ordinances is so strong and so universal in this country, that the great mass would be instinctively shocked at hearing that Bishop Alexander had ordained some German divines, and admitted to communion some elderly Germans without confirming them? If Mr. Perceval is not prepared to assert this, his argument is not worth much. The sort of moral impossibility which he attaches to the notion of Bishop Alexander making such an omission, implies some such strong feeling existing on the subject; and we do not think that Mr. Perceval will, on reconsidering the matter and fairly looking facts in the face, assert that this wide general feeling prevails. Should he do so, however, he has still to get over the plain *primâ facie* construction of the instructions themselves. How does he do this? He says, "It does not follow that by *omitting to mention* the rest (candidates for ordination and others) it is intended that they should be received to communion without episcopal confirmation; but rather that while in respect to the young, the bishop is confined to the use of the English form, he

has been left, as regards the rest, *to adopt some other which may be better suited to their case.*" Mr. Perceval's explanation is doubtless dictated by the best feeling, but will he allow us to remind him of a plain dictate of common sense, that where a new and special exception to a known positive general rule is intended, it would be expected that the instructions on the subject should of the two, if the one or the other is to be omitted, rather mention the special exception and suppose the general rule? Mr. Perceval, reversing the order, tells us that the confirmation of German adults and candidates for holy orders, by some new special and extraordinary service different from our Liturgy, is *supposed* and taken for granted; whereas that children are to be prepared for the rite in the *usual* way, is expressly mentioned and occupies a regular paragraph.

We shall with Mr. Perceval's permission continue to think that had such confirmation of adults been intended, it would have been not only supposed but mentioned. The tone of the instructions does in fact so obviously leave Bishop Alexander at liberty on this point, that we need only refer our readers to them. Bishop Alexander is told to take certain *bodies, congregations*, into his pastoral care and communion—they are supposed to be *already* in a fit state for such communion, and no previous process of admission individually, as of persons coming out of an imperfect religious state, to be necessary. Our Church, on the other hand, strictly and expressly enjoins such individual admission—orders in her rubric and in her canons that every single person, previous to partaking of the communion, shall undergo the rite of confirmation at the hands of the bishop. The conclusion is obvious, and to state broadly what is not a matter of opinion but a simple matter of fact, it must appear that Bishop Alexander, by acting upon a plain natural inference from the instructions he has received, would render himself liable to a citation before the Arches Court. Nor do we exactly see how that court, going as it must do not by any vague notions of religious charity or expediency, not by any prevalent low or moderate Church views, not by the principle upon which it is supposed the English Church *should* act, not by any thing vague, general or indefinite at all, but by what *are*, as a matter of fact, now, at this time, the express, definite, fixed, written canons and laws of the English Church, could avoid, upon the ordinary professional principles by which English law courts are governed, giving sentence against him. And the very strange and anomalous spectacle would thus be presented, of an archbishop and metropolitan condemning, by the mouth of his legal official, his suffragan, for taking advantage of the licence which he had himself allowed him.

We may leave such a question as this to the reason and common sense of Englishmen to decide, as well as to the principles of churchmen. What is the use of canons and laws to any society, secular or ecclesiastical, if they are not to be followed? why have one rule in form, and another in fact; one for theory, and another for practice? If the canons of the English Church are found too strict or exclusive for her growing Protestant development and enlarging connection with the Protestant world, let her legislature meet, let the obnoxious rubrics and canons be erased, and let her adopt whatever others she may think most suitable for her genius, and most advantageous for her position. But while such canons continue, let them be respected, let them not at any rate be pre-meditatedly, deliberately, and systematically set aside. One set of laws may be right, or another set of laws may be right, but inconsistency must be wrong; a body that does not act up to its own laws, whatever they are, is self-condemned. A body that does not adhere to its laws, has in fact no laws, and is hardly a body. The unconfined aggregate and mass may thicken in this direction, rarefy in that, bulge out here or there, roll and heave *ad libitum*, but is without cognizable shape, or corporate function. The sense of order, fitness and propriety—the maxim of the statesman—and the experience of every practical man that ever lived—declare with one voice against abandoning the fixed for the vague and the indefinite, and associate with emptiness and levity the temper of that body that throws itself, in appeal from its own established laws, upon the wide field of general feeling and opinion.

Most confident do we feel, however, that a design of so new and strange a nature as the present one, a design so entirely opposed to fundamental Church principle and the whole theory of Catholicity in the first place, so counter to the plain express letter of our canons in the second, is not in harmony with the rising and growing spirit of our Church. Most confident are we that whatever be the fate of this mission, and whatever become of the new “Evangelical Episcopacy,” the responsibility, of having instituted or sanctioned it, will not rest upon her. Most consoling, encouraging, elevating it is, to see from year to year that life and native principle developing within her, which will disown such excrescences as no parts of her; a life which will not incorporate her—doctrine, discipline, and all—with a spurious Catholicity of all doctrines and disciplines, but establish her more and more in the bosom of true and living unity, the fold of the Church, the fellowship of the Apostles, the Communion of Saints.

ART. VI.—1. *The Keepsake for 1843*. Edited by the Countess of Blessington. London: Longman & Co. 8vo.

2. *Forget me not; a Christmas, New Year's, and Birthday Present for 1843*. Edited by Frederic Shoberl. London: Ackermann & Co. 18mo.

THE general scope and object which we are supposed to have as a Review, and which our title imposes upon us, need not, we trust, prevent us from casting an occasional glance on those lighter departments of literature which are perpetually unfolding their treasures around us. Our readers have, we hope, no cause to complain of over levity and frivolity in our choice of subjects; we do our best ordinarily to furnish solid substantial ones; it has been delicately hinted to us even that these occasionally tend to hardness, toughness—that a certain difficulty of digestion accompanies, what the friendly reader alluded to flatteringly called, the valuable suggestions that we feel it our duty to offer upon various grave and important subjects. Our readers perhaps require some relaxation—so do ourselves. We will turn aside, with their permission, into a more flowery, more ornamental domain—a garden scene of many-coloured beds—bindings and edgings pink and blue, golden and purple, rose and saffron, and all the tints which the high cultivation of the literary plant external has produced—tints of

“ The rose, the wall-flower, the smart gilly-flower—
Sweet William, and sweet marjoram, and all
The tribe of single and of double pinks.”

Are not Annuals the very pride of the literary horticultural art, the brightest, choicest, primest specimens of the Chiswick gardens? We will make use of our opportunity then while it lasts; it may not continue much longer; annuals are not perennials; treacherous stove and hot-water-pipe fail, and with them the rich Asiatic climate of the summer-house; the aroma breathes no more, the floral vision dissolves, and we are left to mourn over scattered petals, and grace and beauty in the dust.

With respect then to this brilliant class of periodicals, the reader must in the first place be told not to judge of them from their light and gossamer outside—we have been alluding only to their outside in these remarks of ours—he must not hastily make up his mind upon a superficial impression. Many a trifling exterior has concealed solid and heroic resources within. Hercules held the distaff for Omphale; Achilles passed a youth in the disguise of a young lady; and the Bond Street lounge, conspicuous for his scattered scents, his faultless boots, and the graceful

motion of his cane, left the scene of home fashion, the park and promenade, to die nobly with his regiment on the field of Waterloo. Never, we say it emphatically, has it been our lot to fall in with such a body, such a concentration of the grand and profound as we have in those seemingly light productions of our literature. Their plurality of authorship gives them greatly the advantage in this respect over the works of single minds. There is obviously a noble emulation among the various contributors, which shall give vent to the most generous, splendid, heroic and inspiring sentiments upon the high subjects which pass before them. They are severally aware, and they evidently retain a vivid consciousness of the fact of the comparatively small share of composition which must fall to each in so divided a field. And the salutary consequence is, that they make up in spirit and life for the deficiency of space, and work up the parts which respectively come to them to the highest pitch of vigour and animation. Homer, we are told, on the best authority, sometimes flags; annals never do. Every page glows with the thoughts that breathe and words that burn. The ordinary details of narrative overlooked, striking vicissitudes, crises, turning points, are rapidly collected, and pass in thickening succession before the reader's eye; and the story of a few pages concentrates the interest of volumes. Long before you are at all aware of having made any progress, you have read through in substance the principal epic poems and romances that have appeared in the world. The volcano of genius heaves underneath the pink satin: the Lilliputian Cyclops are at work, the hammers strike, the anvils ring, the sparks fly, and every little forge blows furiously. The heat of the poetical atmosphere is almost too much for your prosaic frame, and you feel yourself inadequate to support a beehive height of the thermometer, which naturalists tell us, the little bees, by their intense gyrations, and incredible spinings of their little bodies round and round in simultaneous chorus, are able to raise to positive boiling heat.

It is indeed necessary to acknowledge that the animated narratives, which at the time feel so strongly the benefit of this stirring scene, are apt to suffer for it in the retrospect. A difficulty attends the reader's progress, as the lines of demarcation, which divide the field of authorship, recede from his eye; it becomes an anxious point, on the distant survey, to keep the various domains distinct, and prevent one effort of genius from forming a too intimate and perplexing alliance with another. Amid the exuberance and play of fancy, an incorrigible haze collects in the department of the memory. By the time that one has read six or seven condensed epics, or concentrated works of romance, the mind grows into a most flexible and malleable state on the subject of the personal identities

of the several compositions; they will somehow harmonize and intermingle, obstinate attachments take place, and the principle of combination triumphs upon the literary field. We have to correct ourselves repeatedly, as the story of the "Plighted Troth" makes a furious inroad into the pathetic tale of the "Deserted One;" and "Isabella the Beloved" has insinuated itself full half way into the "Wandering Countess," besides a corner abstracted from the "Maiden's Dream," the vicinity of which was tempting. The aggrandizing tendency of some compositions is enormous, and it is necessary to be peremptory with the flower of Andalusian chivalry, the valiant Don Gaspar, who has already married the three heroines of the adjacent stories, in addition to his legitimate and affianced bride, the lovely Bertha. Remonstrance is unhappily ineffectual, and we rush to the rescue; we turn the full powers of the index upon him; we confront him upon the spot, on the very page, and dismiss the struggling captives to their glad homes, and the arms of their lawful and disconsolate lovers. We are conscious of falling short of that masterly tone of mind which can, by a word or look, set things right when they get into this state, and the unruly propensities of some of the more determined members of this corps fairly get the better of us. We cannot stop the impetuosity of "Rodolpho the Strong."—Halt there, we exclaim energetically, this is really too bad. You are already possessed of the "Castle of Death," the great fortress and family seat of your near neighbour the "Awful Baron;" he is in the greatest perplexity for the loss, as he wants the dungeons for incarcerating some foreigners of distinction, whom the entanglements of the Black Forest have brought within his grasp. Fair play is a jewel; you should allow the baron to pursue his avocation. You prefer the quick method of dealing with your foes, he the plan of slow torture; you stab, and he starves. Both are laudable, excellent foundations for the art of fiction to erect its interesting fabrics upon. Or if you must make invasions on your neighbour's domains, there is the "Smugglers' Cave" on the opposite side of you, where the seizure will be less felt, and the story go on fairly enough under the loss.—Alas we raise our judicial voice in vain. Rodolpho hectors, storms, invades right and left promiscuously; a general war breaks out, the barriers disappear, and wild confusion spreads over the whole scene.

As to the plan, plot, and design of these stories, their particular aim and composition as tales of fiction, we need hardly inform our readers, that the tender element enters very conspicuously into them; that they are love-stories of a highly developed interest and pathos, and that they adhere strictly to the poetical rule, that the course of true love never did run smooth. The

authors or authoresses have a favourite plan generally of honeying and sweetening the commencement of their stories; they devote the graphic power of their pen to describe an atmosphere of perfect felicity, such as is rarely seen even in the most choice and enviable situations. The brilliancy of sunshine which is produced on these occasions is astonishing, and does honour to the heart and head which could conceive it. Every species of pain and misery, vexation and annoyance, however slight, is pronounced to be entirely absent from the favoured spot; the envious blight, the malignant fog which so often overshadows our mortal state, are peremptorily excluded; and the stream of life carries us on with a delicious tranquillity, only disturbed by the gentle excitement of love, and the soft stir of sentiment, imagination and hope. The more bold and sanguine pen goes on sometimes to exclude moral as well as physical evil from the terrestrial paradise; and the heroine is declared pure from all the faults incident to the human character, and absolutely unacquainted, even in thought, with the very existence of moral evil. She has the bright and spotless soul of an angel. But this is not considered strictly necessary for her completeness, and is in fact only done where the colour of her hair seems particularly to harmonize with and demand such a character. Very light flaxen ringlets have great weight in deciding this point, and the Saxon beauty has the advantage over her rivals in receiving, together with her person, this highly desirable state of the moral character.

From such a scene of innocence and brightness, such a smiling halcyon calm, what but the most unalloyed happiness could flow, is the simple reader's first natural impression. Foolish, green, superficial idea! The author's view is far profounder than this. Now for the glorious effect of contrast, a masterly bit of light and shade. The hero and heroine are suddenly taken out of their elysium, and plunged into the thick of distress and disaster; they are made more uncomfortable and wretched than can be conceived. Their anticipated union is prevented by obstacles that suddenly start up of the most obstinate and invincible nature; a gloomy secret spell is in full operation, the wheel of destiny threatens to crush them, and they are on the brink of a precipice, where the slightest movement will precipitate them into the yawning gulf beneath. This transition takes place in an inexhaustible variety of forms, and with different degrees of misery, varying from desperation to that modicum of suffering that can be borne by the philosophical mind, though not without serious difficulty. Sometimes an entire disarrangement of the pecuniary department is introduced boldly and summarily upon the stage of events; and the favourites and spoilt children of Fortune are suddenly deprived of the countenance of that capricious divinity, down to the last sixpence.

Sometimes an unaccountable cloud gathers on the paternal face, or the most malignant and severe of guardians rejects with scorn the prayer of eyes and lips that nature had meant to be irresistible. The heroine has only the poor revenge of thinking him a brute. Sometimes the lover himself breaks down under the sharp trial which the author imposes, and after having hitherto shone as a most decorous character and mirror of honour and chivalry, has his principles in an incredibly short time corrupted by the poison of bad company, and becomes unhappily involved in some swindling transaction, the discovery of which forfeits him his position in society, and opens an agonizing struggle between affection and principle in the tender heart of the lady. A strong tragic turn in the writer leads sometimes to still more sudden and startling effects. At the top of the page the hero and heroine are in the enjoyment of every earthly happiness, and possession of excellent health, bodily and mental. We look down a few lines; the hero is shot, the heroine in a mad-house, and the parents and maiden aunts on both sides deprived of their only objects of existence, are anxiously waiting for their own dissolution. The narrative indeed leaves a veil of obscurity upon these great critical changes, and does not enter into minute particulars which would explain how they occurred; but the broad fact is certain, and that is all that the reader is really concerned with. Idle curiosity is not to be encouraged, much less the ingratitude which would question and dispute when the attraction of such piquancy is offered expressly for our entertainment. "Open your mouth and shut your eyes," is the maxim, "and take the *bonne-bouche* we give you." The popular reader's taste is known: he has what he likes, and should not be delicate on the subject; if the pepper tickles, and the spice and seasoning warms, the author's task is done. The omnipotence of Time, however, is strongly dwelt upon occasionally as a most satisfactory solution of such difficulties, and his extraordinary productiveness is an unfailing source which the composition drains to any extent. Old Time, as he is affectionately and familiarly called—the "old gentleman"—is indeed so remarkably liberal and good-natured, that any ingenuous modesty that the author may feel, at pressing so heavily upon his bounty, is sure to end in a further demand, only eliciting his most gracious smile, and—I beg you'll not mention it—quite at your service—this or any other little accommodation that may be in your way.—A fair pen heralds the approach of the stirring and masterly train of events on which her story is made to hang, with a significant announcement of this mighty agency. "Time," says our authoress, with that ominous jocoseness which so often precedes the display of sterling power—"Time now began to

shake his kaleidoscope." We prick up our ears at the signal, and are hurried along half a dozen pages of breathless interest, which develop most successfully the stock of materials which the liberal monarch has supplied. The gift is exhausted, and we appeal again to the same large-handed patron. "Ah," repeats our literary enchantress, as she announces the commencement of a second and still more dazzling act of the drama, "we said, Old Time was shaking his kaleidoscope." The appeal is not made in vain. Old Time begins to shake his kaleidoscope with a vengeance, and such a magnificent combination of incident, such rich and varied illusion is the effect, that the bashful triumph of the old classic poet, who describes himself as the mere mouthpiece of Apollo while producing all the wonders of his art, seems revived. Old Time is installed on the throne of Fable and Romance, and soft glances pass between him and the Muse, with whom he is brought into interesting contact on these occasions. In another department of the field we observe his hour-glass; he is at work with his scythe, producing consequences which may be better conceived than described; he mows down the haughty noble, the sceptred tyrant, and the scheming statesman, with awful rapidity; and pomp and splendour, gaiety and hope, retire at his approach.

But it is time that we should give our readers some specimens of these glowing compositions. The first we select is of a highly tragic character, and is on the whole a good sample of the *Allegro Penseroso*, which the distinguished authoress boldly professes to adopt for her line.

"FLORENCE HOWARD; OR, TWO DAYS IN A LIFE.

"BY MRS. WALKER.

"The experience of most persons will attest that it is not the events of months, or even weeks, which govern the character of their lives; but rather, that they take their hue of good or evil from the action of days, often of hours. Who, when memory rushes over the records of the past, does not seize on some brief yet special points in time, which seemed like the landmarks of destiny to conduct him to the goal of weal or woe!

"The story which I am about to narrate is one of the instances where life might be said to be divided into two days, concentrating in the one the essence of earthly happiness, in the other that of misery.

"Florence Howard was the only daughter and heiress of one of the richest and noblest of the aristocracy in —shire. That beauty which in this country so pre-eminently, I had almost said exclusively, belongs to high birth, had, in a very remarkable manner, been bestowed upon her. A small, exquisitely-shaped head, fair, ample brow, and large, deep blue eye; a complexion with the smoothness and faint blush of early infancy; an unusual quantity, for an Englishwoman, of the brightest of chestnut hair; and a form which Canova might have taken for the model of his *Venus*, so luxuriously yet delicately moulded; were the claims which she advanced to that supremacy in loveliness which the

men eagerly demanded for her, and which even her own sex conceded without attempt at disputation.

"Nor was she only in external semblance perfect—of as rare a quality were her heart and mind. So essentially gentle, almost humble, was she, so unelated by the extrinsic advantages surrounding her, so warm and generous in every impulse, so noble in conception, so utterly unsullied by any the slightest admixture of meanness or deception, that they who had the best opportunity of observing her could but regret that a nature so finely wrought should be given to one of earth's denizens, doomed, as all are, to perpetual collision in their sojourn here with the grovelling and the base.

"Her intellect only required exercise for its development, to have won admiration for its grasp and power. It need not be said that, with all these attractions, the hand of Florence was the object of anxious rivalry among many competitors. Too much beloved by her mother, her only surviving parent, to sway taste in her inclinations, she was left to the full indulgence of her own taste in the selection of the object on whom to bestow her affections, and she was precisely the most improper person to be trusted with so hazardous a responsibility. Undoubting of evil, overflowing with all that ardour, one of youth's most beautiful characteristics, which confides with fond and earnest trustfulness in the excellence of mankind, she was ever ready to be the dupe, as it were, of her own perfections, by investing others with those attributes of virtue which herself possessed. *She had read of grief and crime with sceptical incredulity. Living in an atmosphere of unclouded joy, which had never been dimmed by the presence of pain or sorrow, the tales which occasionally reached her of the existence and consequence of sin in the world without, appeared but as the exaggeration of fable or the distortions of malice.*

"Such was Florence Howard when I was first introduced to her. *The portrait illustrating this little tale*, which was taken among many others at the period referred to, when the bloom of undimmed beauty, the flush of unshadowed hope, gathered like a halo around her, will convey to the eye some idea of her rare loveliness."

The reader will observe the delicate manœuvre which subordinates the "engraving" to the story, the latter being, in annals, generally thought to claim precedence. The Allegro continues—

"A few weeks afterwards, the busy tongue of rumour informed me that she had at length smiled on one of her worshippers, and was the affianced bride of Sir Loftus Fitzgerald.

"The eventful day dawned, and the heavens could not have worn a lovelier aspect, or earth shown a fairer surface. The season, June, was rich in the full flush of summer luxuriance; the air had that clear, transparent buoyancy which, not often breathed in our climate, is felt by us, when it is bestowed, as so very great a blessing, that the spirits of all are involuntarily elevated. Every breeze inhaled came loaded with such excess of fragrance from the ten thousand blossoms waving around, that it had been oppressive, but for the singular freshness mingled with it. The sun lighted up every nook of the wide-spreading forest which skirted Howard Park; and never did its glory shine on so matchless a specimen of Nature's workmanship as the heroine of the day, the heiress and the

bride. That woman must be plain, indeed, if, arrayed by the hands of a "*Dervy*," with the delicate auxiliaries of Brussels lace and white satin, added to the adventitious charm associated with her position, who does not dress into a pretty bride at twenty-one. How, then, did Florence appear? I actually started as if I had seen some fairy creation when I beheld her."

"We returned from the church to her home over a path literally strewn with flowers. A *fête champêtre*, in a style of magnificence commensurate with the occasion, was given at the park.

"It is rarely given to man or woman to live a day of such unalloyed felicity. The wife of the man she fondly loved, the mistress of enormous wealth, the idolized child of a doating mother, life lay before her, in imagination, one line of unbroken sunshine. Her pure, warm heart, full of gladness, communicated a portion of its intense happiness to all who approached. The old became younger as she drew near—the sad, gay. Even while I write, I fancy I can again hear her clear, musical laugh, as she flung back the shower of roses which her juvenile companions, in playful frolic, crowned her with. Their blushing leaves looked pale by her cheek, which the excitement of the day had tinted with the deepest glow, and which the long, auburn ringlets, sweeping over and descending nearly to her waist, could not quite conceal.

"Never did I see human happiness so beautifully and vividly depicted as in the face of Florence Howard on that her wedding day. The radiant yet sportive expression, the entire abandonment of the soul to the bliss of the moment, the concentrated look of full and perfect content, all spoke the felicitous harmony which reigned within."

Now for the other side of the story. We take a short leap into time, and—but the passage speaks for itself—

"'No letter yet! and I must bear another intolerable hour of suspense and agony! God give me strength to endure this wretchedness, and keep my mind from frenzy! Oh, Loftus! Loftus! in mercy write to me!' And, in an attitude of wild supplication, she flung herself before the picture, while the hoarse, choking sob of anguish convulsed her frame.

"'Loftus, dear boy, what hour did the church clock chime last? My head is so giddy, I cannot count the time.'

"'It was nine, mamma.'

"'Then the letters must now be ready.' And she again hurried with her children to the post-office. This time her application was successful. She received a large packet of letters, tore them open with frantic impatience, read them, staggered a few paces forward, and, with one loud, piercing shriek, fell senseless to the ground."

"Branded in ineffaceable characters on my own brain is the image of that poor young creature, as I entered the shop; she was slowly recovering, seated on a low stool, her body rocking backward and forward with dull, monotonous movements. She opened her eyes, and looked about with a quick, restless glance, which had all the glare of delirium without its vacant apathy. She shed no tears; but a gasp, between a sob and a groan, occasionally heaved her bosom, and disturbed the muscles around

her small, exquisitely-chiselled mouth. One hand was pressed tightly against her forehead: in the other, the letters she had received were firmly clenched, and the surgeon informed me that she had grasped them with unrelaxing tenacity, during the whole time of her swoon. We were thus left in ignorance of the origin of that earthquake of passion, beneath whose throes she had sunk. That the shock had been mental there could be little doubt; and this, if possible, riveted more strongly the chain of interest which insensibly linked me to her. For what is the acutest bodily pain but a grain in the balance compared with the intolerable anguish of grief's colossal machinery, playing against the heart and brain."

"Restored to perception, she sprang from her seat, pushed aside the persons who were bending over her, exclaiming, in a voice whose tone thrilled every one present, 'My children! my children! where are they?' They were quickly placed in her arms, and an hysteric laugh of frightful gaiety greeted their appearance.

"I had full leisure to observe the almost miraculous havoc which four years had wrought on her person. She was thin to attenuation; her hair was banded back, and showed her once fair, round cheek, hollow and sunken; her large, lustrous eyes, by their size and brilliancy, seemed to make yet more conspicuous the ravages of suffering in the rest of her face. Her brow, once smoother than the polished marble, ploughed by the furrows of care, was now defaced by wrinkles. Her figure, though its graceful symmetry nothing could destroy, retained but the outline of its former perfection. Even her hands, once so remarkable for their beauty, had lost their fair texture and delicate plumpness, and looked thin, feeble, and sickly. Her mouth only was that of other days—a model of expression and beauty.

"The torrent of her sorrow at length found pause; and, well divining the anxiety which devoured me to learn what vicissitudes had brought thus lowly in station and broken in spirit one whom I had last seen surrounded by grandeur, beaming with felicity, she murmured, in a low, indistinct voice, 'You must indeed wonder to see me thus. It is a long, wild story: will you listen to it? It is well that some one should be the depository of my wrongs; and I thank Heaven for the contingency that has brought you near me this day.'"

There can be no doubt, we think, of the extraordinary change which had taken place in the situation of Miss Florence Howard. We never knew a clearer case of contrast. But what does the reader imagine to be its cause—what, especially, is the awful intelligence communicated in the mysterious letter which has consummated the unfortunate young lady's suffering? Has her young husband perished after a lingering campaign in the Peninsular war? Has a career of dissipation terminated in compulsory exile? Has he been shot in a duel? Has, after a series of pecuniary disasters, the last estate and forlorn hope of the family in Jamaica been swallowed up in an earthquake? No: it is something more acute, more poignant, more indescribably ago-

nizing to a sensitive mind, than any of these misfortunes: Sir Loftus, Sir Loftus—wicked, abandoned Sir Loftus—had had, at the time of his marriage with the angelic Florence—yes, dreadful fact! it has come out, too true—had had “*a wife and family for years*; and I, wretched creature! my children! my poor children!” exclaimed the victim of his perjury, “and her ashen cheek became streaked with crimson light”—

“‘But that is not all;’ and her large eyes had a look of fierce despair, and she shrieked, rather than spoke, the other words: ‘I had another letter; it was from him, my husband—oh, no; I have no husband! I was but his mistress. He wrote from Liverpool. He tells me that he supposes I shall commence proceedings against him; but he cares not, for he is sailing for America—and not alone: she—the woman—my friend, goes with him, and he intends to marry her as soon as he lands. And he says he never loved me—he only married me for my fortune; and I have bartered my all of happiness here, perilled, it may be, my soul hereafter, for one who never loved me. How shall I live? the finger of scorn will point at me, the laugh of derision greet my approach. Where shall I hide? *I have no money, no character, no name!*’ and she groaned aloud.

“For some time I had watched her with foreboding apprehensions. As she uttered the last words, she started up, and rushed to the window, and, had I not caught her by the robe, would have dashed herself into the street. I seized her hand, and her screams were heart-piercing. ‘Off, let me go; I will—will die!’ The violence of her cries brought up the inmates of the apartments below. It was but too evident that her senses were gone, and that strong coercion was necessary. I sent for the surgeon. *He pronounced her immediate removal to a lunatic asylum compulsory*; and, when the night of that eventful day closed over her unhappy head, she was an inmate of *La Salpêtrière*, a raving maniac. There she remains to this hour.”

This is sharp and pointed, and goes off with a crack. The authoress smacks her whip as she stops at the *Salpêtrière*, and commits her unfortunate charge to the keeper: she sees the straight waistcoat fairly put on, and then, with the American sentiment of “*that’s a fact*,” takes her brisk leave of you.

We should say there was more richness of sentiment, more depth of pathos, and more intensity of expression, in the following:

“THE ONE-HANDED LADY.

“BY MAJOR C. CAMPBELL.

“It was in vain that I strove to forget her! When frenzy filled my brain with unsubstantial chimeras, she was never absent from thought, during its wildest wanderings; nor, in the after-idiotcy of grief benumbed, when the eye was blind to the pageantries of earth—the ear deaf to the voice of affection—was her image for a moment veiled from

my mental vision. She was the sole remembrance—the one absorbing idea of my soul. The atmosphere was luminous with her presence, and fragrant with her breath: the sound of her voice, blessing me as she died, echoed around me; and before me her form, pure as the snow in which she perished, lay stretched—as cold, as pale, as the whitest wreath of that fatal storm! The world was filled with her image—not with her *living* presence, for that would have been bliss—but with the spectral music of her accents, hovering in air, while beside me her lips were frozen into wan and rigid breathlessness. I saw her everywhere; and always she looked as when she lay within my arms, her golden ringlets stiffening in the frost, and death dimming the lustre of those loving eyes, that never looked a reproach to him who had torn her from the seclusion of her saintly retreat, to die in a snow-storm in those far-away hills! In my ears still rang her last words, faintly and slowly parcelled out, as honey trickles drop by drop from the crushed comb:—

‘Weep not, beloved! to die with thee is life!’

“But *I* did not die with her! Why did I not? Yet was there rapture in that parting look—in the pressure of her chilly hand—to which the heart’s unsubdued warmth of love reached not; yea, rapture such as within her convent’s walls had never thrilled her bosom. What was the world now to me, bereft of her—the only one whom I had ever loved—for whom I had braved the anathema of the church—flung from me the dignities of proffering princes—and deserted father and mother and country!—her whom I had won but to weep over as lost for ever! What was the whole earth to me but a wilderness, whence the only well-spring of delight had vanished? It were well had memory proved but a blank; forgetfulness is bliss—the bliss of the maniac; but to me remembrance was a magnifying mirror, imaging a sad procession of sheeted spectres, shrouded nuns, frozen and ghastly—the dim pageant always concluding with one bierless corse, and that was hers. Madness is often a happy thing, though a fearful one—laughing in its chains, and glorying in its dungeon. But I was not mad: it was the destruction of feeling, reason, memory, in all but one point; or rather, each separate idea, thought, and intelligence, concentrated into one dread picture of the past—the corse of the novice of Santa Clara—Lillian—my bride!”

The Annual has now arrived at its bathos of grief: it only remains in the ensuing pages that it should not relax its powers; that it should continue the nervous strain at its present pitch, and roll backwards and forwards in the Tartarean gulph, to the end of the story. It has other styles however. Sometimes an inhuman personage, upon whom the great tragic effects of the piece depend, stalks savagely over the field—a liberal display of blood and gore accompanies his movements, and a Shakespearian picture is revived, the forcible lines of which have doubtless often arrested our readers:

“The rugged Pyrrhus, like the Hyrcanian beast—

The rugged Pyrrhus—he, whose sable arms,
 Black as his purpose, did the night resemble,
 When he lay couched in the ominous horse,
 Hath now this dread and black complexion smear'd
 With heraldry more dismal; head to foot
 Now is he total gules; horridly trick'd
 With blood of fathers, mothers, daughters, sons;
 Bak'd and impasted with the parching streets,
 That lend a tyrannous and a damned light
 To their lord's murder: roasted in wrath, and fire,
 And thus o'ersized with coagulate gore,
 With eyes like carbuncles, the hellish Pyrrhus
 Old grandsire Priam seeks."

The following story differs from the preceding one, partaking more of the pastoral; and has the advantage of a happy ending:

"AN OLD LOVE OR A NEW.

"BY EDEN LOWTHER.

" In the dawn of life's sunshine, rich in unmeasured happiness, were our hero and heroine at the commencement of our tale.

"And yet who would have thought that a hoidenish boy and a sunburnt girl knew more of happiness than philosophers and doctors of law! and who would have thought that a hoidenish girl and a sunburnt boy would prove all proper materials for a hero and a heroine!

"*And yet how happy they were, our wild Virginia and her playmate Ray*, as they wandered among the dear, delicious wildernesses of sweets that begirt their country home, revelling in the luxury of a myriad of flowers, not planted churlishly and formally by the hand of man, but blossoms a thousand-fold dearer, sown by the wind, and nursed by the sun, Nature's own children. Happy were they as they rambled among the rich luxuriance of buds and bloom, wreathing wild flowers in the meadows, or watching the waters of the river leap and glide along, and sparkle like their life; or, when the rays of the sun burnt hottest, hiding themselves from them in the dells of the forest, listening to the birds, and mocking their melody.

"*And so Ray and Virginia were very happy, though they knew nothing at all about it.* But who were this idle couple, who dared to be happy in spite of reason and philosophy, which would soon have taught them better? Indeed they were very nobodies. Virginia was the spoiled nursling of a cottager's wife, and Ray was the only son of his mother, and she a widow. Both the nurse and the widow had striven as hard as possible to spoil their respective charges, and the older they grew the more perfect the process became: the nurse always thought whatever her Virginia did the best thing that could possibly be done, and the widow, however she might try, never could scold the image of her lost husband. Then, again, they had another advantage, which the world may think rather a doubtful one—they had no riches to quarrel about, but were as poor as poets—in fact, so poor that they were fed something after the fashion of the birds, and clothed something after the style of the

flowers, that is to say, immediately from heaven, without troubling any intermediate hand ; and, oh ! who would wish for any intermediate hand between themselves and Heaven ?

“So the sun when he rose found our hero and heroine happy, and when he set he left them the same. They never had the trouble of learning any thing, because education had not yet brought the rod and the headache into that lonely spot, and, instead of listening to a pedagogue who might have taught them, according to the most approved rules, that they were miserable creatures, they spent the days altogether ignorant of the fact, recklessly and heedlessly, among the sunshine and the flowers.”

Now for a startling change : Virginia is discovered to be the grand-daughter of an earl : the earl's carriage drives up at a furious rate, amid clouds of dust ; Virginia is captured and carried off ; *“a liveried giant”* quells summarily the generous but vain opposition of *“Poor Ray,”* by knocking him down : Virginia becomes a titled, fashionable young lady ; Poor Ray, the most miserable and squalid of the human race,

“Poor Ray ! and what was he doing all the while this metamorphosis was being worked ? In sooth, poor fellow, he was rusting away his very heart, and soul, and spirit. His days were spent rambling among the old abbey ruins, but he no more saw beauty in blossoms, or brightness in the sky. He seemed as if the vitality of intellect were gone, and the mere clod of breathing clay remaining. Dull, moody, idle, joyless, the time wore heavily away. Nothing less than necessity or inclination can compel us into industry, and, neither of these operating upon Ray, he was as indolent and useless a being as ever discredited the surface of the earth. One day, as the blighted boy was lying stretched upon the grass, with his eyes gazing upwards on vacancy, a bird flitted across the blue heaven, and, as it winged its way over him, the thought flitted across his mind, ‘If I were a bird, I might fly to Virginia !’ Sudden as the idea, the boy rose upon his feet ; his eye sparkled, his lip quivered, his energies were all alive—he had a purpose.”

A purpose ! that sounds grand—now for an event. We wait till old Time has shaken his kaleidoscope, and all fresh from Russia comes a certain “young officer, with a most enchanting name. He was handsome, had a martial air, with a fine clear olive complexion, flowing hair, and exquisitely turned up moustaches, a soft, silver-toned voice, and the most refined and elegant manner.” Who does the fascinating Count Sobolensky turn out to be ? Why, it is very wonderful, and exceedingly astonishing, but it really actually is *“Poor Ray.”* One more shake of the kaleidoscope : Virginia is reclining underneath the ivied ruin of her native village, the identical abbey walls which witnessed the rural pair's first loves : a distinguished looking officer in regimentals approaches. Did you never see me before ?—No, never.—Look again.—No, I never set eyes on you in the whole course of my existence.

—Yes, you have; I am Ray.—“*Why, how changed you are*”—so different from the Ray who used to go about with a dirty face and ragged jacket—The very same identical Ray, however, I assure you, now Count Sobolensky.

“I am changed,” said the Russian count, *with a smile of something like personal pleasure*; “and I owe that change to you, Virginia. When you left me, all life seemed to have gone with you. I wandered through these glens, vainly and hopelessly calling upon your name. I became almost an idiot. My feelings consumed me. My mind became a blank. At length a new purpose breathed into my soul. I would traverse the whole world, but I would find you! I undertook the journey on foot; five scorching days I lived upon a dry crust, and five weary nights I slept beneath the hedges, for I was even then too proud to beg. At last I reached you, yes, reached you, for I saw you, though you saw me not; but, when I beheld you, I beheld at the same time the gulf which divided us. A new light sprang up in my mind; I felt something of what the world was—its distinctions, its differences of condition. I felt all that separated me from you, and determined never again to approach you, unless I could elevate myself into something approaching to your condition. I have laboured for Virginia—studied for her—fought for her—and may I say, won her?”

We may remark here upon one advantageous effect which the varied texture of these stories, their abundant incident and quick vicissitudes produce. Heroes are apt to be stupid characters; the greatest novelists fail in them; even Walter Scott’s are often sleepy and leaden. We turn to our Annual: under the skilful and determined hand of the mistress of fiction, these personages are roused to a sense of their situation, and made to do their duty in right earnest. “Gentlemen,” we hear the author addressing them—the public eye is upon you; you are acting a conspicuous part on the theatre of life: you must entertain and interest the assembled audience with the spirit of your performance.—Should symptoms of drowsiness appear in any of the corps, a thickening array of difficulties rapidly dispels the sluggard’s lethargy, and Fortune plays him such a slippery trick as makes him open his eyes, and puts him on the *qui vive* for several pages. The author pokes him unmercifully; the official cane or *flagellum* administers powerful hints: he is compelled to march quick, under a hot fire from the batteries of Fate, and the wild sharp-shooting of a hostile world. To do him justice, the hero generally behaves most creditably under the difficulties of his situation. Do insuperable obstacles appear to intervene between him and the object of his affections? Is he too poor, too ignoble? Do fathers, uncles, aunts, object? Do rivals oppose? He stands no nonsense. He has no idea of Fortune frowning; he slaps her on the face immediately. His spirit rises, his fire is up—moustaches bristle—sword

flies out of its sheath: "I will cut my way," he cries; "I will carve myself a road to distinction; I'll astonish the world, and utterly overwhelm the contemptuous Sir Charles. Let a few years pass, and Sir Charles and Lady Emily, and all the family, shall be right glad to have so great a man for their relation. I'll, I'll"—continues the aspiring young gentleman—"I'll do a variety of things, all kinds of wild, grand achievements, that show spirit and magnanimity—that make people point with their fingers to the hero whose prodigious efforts have accomplished them. I'll testify my affection for you," he tells the lady, "by entering immediately on some honourable field of occupation. What is it to be? I am ready for any line you will point out. Allow me to go to the North Pole; I'll exterminate the Red Indians—you'll like that extremely: or shall it be the Pope, the Russian despot? your adorer would like to be doing something.

The misfortune is, that these greatneses are apt to mingle with inferior traits, and that the heroic principle does not protect its possessor from the invasion of secular propensities, under the influence of which he sometimes commits the dirtiest, shabbiest, and most discreditable actions, which ought, strictly speaking, to turn him out of honourable society, and debar him from intercourse with respectable families. The author, however, has not so severe a view; the peccadillo of his favourite passes off *sub silentio*, no one observing it, and is not allowed for an instant to interfere with the high character of the favourite of the story. We are not at all of a scrupulous turn, and yet we cannot approve of a young gentleman, in order to facilitate a matrimonial scheme, allowing himself to appropriate the whole entire portion of a too fond and amiable sister; nor do we imagine that such a proceeding is strictly sanctioned by the code of chivalry. A Chevalier Bayard, and a Sir Philip Sydney, disclaim it. And yet a short significant scene between the young Count Adhémar, a proud, high-born, and high-spirited young nobleman, and his only sister Marguerite, seems to admit of no other explanation.

"Marguérîte—'My poor brother! what can I do for you?'—The Duc's entrance prevented further reply; but in their next conference Marguérîte found that Adhémar's aversion to marry *where so much inequality of money existed*, was almost as great as their father's certainly would be to the difference of blood;—the former obstacle Marguérîte's affection showed her a means of at least ameliorating. She knew the Duc's remnant of fortune would be divided, at his death, *equally* between them; and she resolved, if the Duc's consent could be obtained to the marriage, to relinquish her share to her brother; and at her father's death, seek for herself an asylum with her aunt, the superior of a house in Brittany, belonging to Les Dames de St. Thomas de Ville-

neuve; and by thus uniting their two small fortunes, she thought Adhémar would have ample means for his own expenses."

Adhémar pockets his sister's money with all the coolness imaginable, and, with the happy reflection that he should now "have ample means for his own expenses," sets out for Paris; and the ceremony which had previously been delayed by his strong view of the necessity of cash for such an object, is performed immediately.

On such a topic as the precedence of love—its rank, we mean, above all other moral considerations—we do not wish to be hard upon those whose line of authorship naturally inclines them to the pretensions of the tenderest of all passions: and yet they should beware of excusing upon such ground moral depravity; they should reverence the immutable distinction of right and wrong. We do not speak of theology—that of course gives way at the first notice—

"*'I will renounce my faith, dear Miss Arundel; I will essay all, dare all, rather than lose you.'*

"*'No; I would not be yours, if the price you have to pay for my hand must be the base coin of hypocrisy. You shall do no violence to your principles. Unless honestly converted to my father's faith, I would not even wish you to be a Catholic.'*

"*'Noble girl, I honour your sentiments. Would that I had riches—that I had a soul worthy of you!'*

"*'You are worthy of me, dear, dear Walter!'* exclaimed Gertrude.

"*'Then hesitate no longer; with love and untiring affection I will surround you, with my sword I will carve my way to honourable distinction.'*"

Again, "*she loved her father, but her lover more,*" is a simple rather than a sound justification of a case of clear disobedience to paternal authority; yet it apparently satisfies the writer. We do not think a young lady is warranted, upon such principles, in completing, in defiance of the stern interdict of a father, and the prayers of a numerous circle of relatives, an engagement with an Irish major, who, in a pair of unrivalled bushy whiskers, exhibits after all but an indifferent set-off for the infamy of a life. We cannot complain if the major takes up so convenient a maxim, only applying it in his peculiar way; if he has some love for his wife, but a good deal more for her money, and if by inevitable law the inferior side of the ratio does not survive the superior; if, after spending her fortune, the major breaks her heart, and is left at liberty to renew the ratio with another fair, and pursue the theory of proportion through the different stages of matrimonial development.

We have been describing the main plan and composition of an Annual tale of fiction. A few reflections remain to be made on the *moral*; indeed the last page has insensibly digressed from the strict critical line. We must acknowledge then with pleasure, in this department, the decided tribute which is paid to the principle of poetical justice and moral retribution. Love enjoys especially its protection. How forcible and pointed, e. g. is the following. A discarded lover and cousin pursues, on the morning of the wedding, the faithless Adelaide to her chamber, and concludes a powerful address, which occupies ten pages, describing with all the warmth of an ill-used man, the extreme misery and wretchedness which she has occasioned him, in these words:—

“Yes, Adelaide, think of my lost youth, my wasted manhood, my failing health, my broken heart!—think of all that I have lost for your sake! *No, not lost, but cheerfully resigned*—but think of all that is gone for ever, that nothing can replace—my aimless, hopeless existence, the years that are before me, the hours that I must pass; and remember that he whom you have so treated, so tortured, *prays, with the last accents that he shall ever breathe to you, that for these things there may be no retribution!*”

Generously spoken—though approaching rather too near, in form of speech, to the mercy of the popular orator who protected his rival from the indignation of the crowd, by the supplicatory appeal—Whatever you do, do *not* nail his ears to the pump. The authoress, Miss Eliza Armathwaite, seems to have a suspicion of a lurking meaning in the tender mercies of her hero, which would not so wholly object to a little retribution, and she is resolved that his generosity shall lose him nothing. Miss Adelaide’s correction is attended to in right earnest.

“And often did the diamond coronet of strawberry leaves press heavily on the brow of the Duchess of L——. No children blessed her union, no pleasant household voices greeted her approach to the stately halls, chilly in their solitary grandeur; no sweet faces ‘gleamed in the fire-light of social winter evenings.’ *There was no joy for her at home, and less abroad.* Her cousin Edward died. She had never loved her own family. The duke, tired of her silent beauty, angry at her neglect of those talents which had won him equally with her exceeding loveliness, was little at home. *There was not one in the world who heeded whether she were in it or not. She was without a friend, without an occupation, without hope. Truly, Edward was revenged.*”

But, to go to a larger field, we must observe that any little defects, such as were alluded to above, are amply compensated by the valuable moral truths which the whole plan and basis of the story gives occasion to display—those, we mean, which the mutations of fortune and the chequered aspect of human life are so calculated to impress. High in the moral scale, and occupying that

prominent and commanding position which its importance deserves, stands the great truth that happiness does not consist in transitory things. We are told not to repose our hopes too confidently on the fleeting vision of an hour, and the day-dream which vanishes like the morning dew and like the April gleam. The vain and deceptive character of pomp and magnificence, and the superficial pleasure connected with them, are rigidly exposed. Trust not the gilded show—says the sage of the Annual—it appears fair, but all is not gold that glitters: believe me, the crown of the monarch, the coronet of the noble, are burdensome ornaments; observe the care which rests on the brow of the statesman; the brilliant sultana of the ball-room—how forced her smiles! painfully hollow! In this way we are conducted through a variety of scenes, and it is discovered that misery is not confined to any one class of society or situation of life. And yet, it is added, every one discontentedly imagines that his neighbour's lot is better than his own! Vain delusion! Alas that the peace of thousands should be unsettled by such an idea! that it should disturb the serenity of professional gentlemen, and exert a pernicious sway in the breasts of reputable shopkeepers! You over the way there, Jones the fishmonger we mean, you foolishly suppose that the splendid haberdasher opposite reclines on a bed of roses, while you, Jones, only enjoy a thorny state of existence. This is not the case; wait a little and you will see the minion of haberdashery tumble headlong from the giddy eminence which he at present occupies, and add one more example to the thousands which have preceded him, of the fate which attends vainglorious efforts and visionary hopes. No, you may depend upon it, in the race after happiness the dealer in small wares runs the Russia merchant hard—there is very little difference between them: the same may be asserted of tailors, shoemakers, upholsterer, huxsters, braziers, tinmen, and ironmongers: we need not particularize; all these situations conceal their fountain of bitterness, and none can boast an arrogant immunity which another has not. Learning and philosophy again, the studies of the academician—Ah! the blissful ignorance of the rustic life for us. We think little of the happiness of doctors of laws compared with shepherds. Remember Ray and Virginia, how happy they were picking flowers—“they did not know it, but they were far happier than doctors of laws”—they put the two Universities to shame.

The inquiry after happiness assumes in some hands an impatient interrogatory form. The moralist, determined on losing no time amidst details, addresses himself straight to the sublime Abstraction herself, whom he boldly challenges to come forth, wherever she may be, and demonstrate her existence by appearing personally before

him. On her not doing so he at once erases her name out of the register of existence. And a truly melancholy strain follows—"Where is Elysium to be found? the answer is positive—Nowhere within the neighbourhood of our great Metropolis. The river Lethe—does its flow between London Bridge and Blackwall? No. Where are the Fortunate Isles—abodes of perfect bliss? Alas! our merchant vessels, our men-of-war touch on many a smiling island, they never touch upon *them*—these latter were not among the discoveries of Captain Cook. In this mercantile country myriads encourage the belief that among the various results of the mighty powers of steam, happiness will one day date its birth! How fruitless is such an expectation! Steam-engine, indeed, we suspect it will be long before it attains that amount of horse power which will produce happiness—this, this is an article of diviner workmanship than silk or cotton stockings. In saying so we know we are going sadly counter to the general opinion of mankind: we hardly expect to be believed; so deeply rooted is the prejudice which we are opposing. Yet listen to a simple unadorned tale"—&c. &c. "Happiness!" exclaims Miss Eden Lowther—

"Happiness! we wonder where it is to be found! Certainly not under a regal canopy—crowns only give the headache. Certainly not to the victor in a battle-field—pah! the reeking blood, the mangled limbs, the ghastly gashes—the man must be a fiend who could find happiness there, however great his glory. Well, then, the chemist, who watches his crucible, and develops the secret processes by which a world was made, doth he find happiness?—nay, for he gets no sleep a-nights, and very dirty hands by day. The poet? his happiness is to be miserable. The man of knowledge, then?—nay, all that he acquires makes him but the more dissatisfied with himself, and sure we are that self-dissatisfaction is the farthest off from happiness of any thing in this world."

"What is this feverish longing for fame? (asks another moralist)—this craving thirst for the dangerous dew of praise? We toil on and on for our obolus of admiration—we obtain it; and then, banqueting on the unsubstantial diet which it purchases for our wasted spirits, we die;—or worse, we hang our neglected laurels on the withering boughs of some mental upas, and live, inhaling venom! Our youth—which is the manna of existence—melts away in the cup of sorceries which the world mixes up for us, and imparts no enduring flavour to the draught."

There can be little doubt, e. g. what a train of glowing reflection would arise from such a subject as

"WAKING DREAMS.

"BY MRS. T. C. HALL.

"*The subject has never been more charmingly illustrated than it is now by Mr. Redgrave.*".....

NO. LXVII.—JULY, 1843.

M

“How bright—how glowing are the ‘waking dreams’ of the young !
—of those who bound into society as the antelope from the hunter’s
toils to the freedom of its companions ;—of those with whom

‘ — the bright freshness of morning’

lingers ;—who believe in the reality of smiles and welcomes, and of tears and adieus ;—who swear, and mean, eternal friendship, with creatures sometimes as young, as fair, as fresh, as ingenuous as themselves ;—whose hearts leap as frequently to their lips, as the blushes to their cheeks ;—upon whose tongue rests the words of truth, and whose voices are full of the bird-like melody of happiness. Such, look out upon the glittering world, and never dream of the volcanos of human interest (stronger, perhaps, than human passion) that threaten at every step to spring a mine beneath their feet. They gather trustingly of the fruits that grow upon fair trees, in the worldling’s gardens of luxurious pleasure, and, instead of the freshness and refreshment they dreamed of—behold, the fruits are filled with dust, and ashes, and the bitterness of deceit ! When the actual comes upon them, they suffer, not so much for themselves as for others : it is anguish, rather than anger. Their vase is shattered ;—the pure and holy temple erected above the shrine whereat they worshipped is defiled.”

We have not yet entered upon the important department of poetry, though we have been all along treading closely on its confines. The whole region of the Annual indeed is so instinct with poetical life, that it hardly signifies into what particular part we enter ; its prose is poetry without the trammels of rhyme and metre ; its poetry only adds these graces, and lifts the composition a step higher up the Heliconian ascent ; it touches mainly on the same subjects, and illustrates the same glowing ideas. “Death and the Child,” by the Lady Emmeline Stuart Wortley, contains some really pretty verses ; but pain mingles with pleasure as we trace the shock which a rude world has inflicted on the tender flower of a poetess’s heart ; as line after line unfolds Lady Emmeline’s sad and mournful experience of human life.

“ *Ruthless is she*—all thy joy
She will, with a smile, destroy ;
She will check thy blameless play—
Pleasures—pastimes—snatch away !
She is Queen of Pain and Strife—
This terrific thing is—LIFE !
Thou shalt learn to feel, and fear,
Thorn by thorn—and tear by tear,
All the endlessness of grief—
Hopeless—hopeless of relief !
Thou shalt live to learn and know
All the bitterness of woe !
Live to understand and prove,
As the weary hours remove,

Every truth of Sorrow's lore,
 Conned and studied o'er and o'er !
 The gradual growings of the heart,
 Pulse by pulse—and part by part,—
 Shall but seem, as steps of care,
 Ripenings—ripenings of Despair !
 Miserable hopes, that make
 Anguish worse, for their dear sake ;
 Torturing fears, that ever give
 Thousand lives for Grief to live.
 Darkly conscious none can sound,
 Depths of Pain, that know no bound !"

We give the ladies the first turn ; a specimen from a gentleman poet, to preserve the just equilibrium between the two sexes, follows ; it is less elegant than its fair rival, but not destitute of vigour.

" LIFE.

" BY SIR HESKETH FLEETWOOD, BART. M.P.

Sir Hesketh begins by telling us that he does not intend to

" —dive beyond that portal whence eternity begins,"

but to confine himself strictly to the sublunary state—a wise and natural limit for a prudent poet to fix upon.

" The poet sings, ' life is a dream,' to cheat us of our fears ;
 The Moralist, in graver tone, speaks of ' a vail of tears ;'
 Apart from both, be ours the task, to paint life as it flies—
 Its earlier hopes, its after cares—its smiles, its doubts, its sighs."

Sir Hesketh prefers something between the *gravity* of the vail of tears and the light, flippant, and jocular comparison of life to a dream, which is never to be found in serious writers ; and he commences with a narrative in the simple interesting style.

" I was a helpless *baby* first, but memory's page portrays
 No history to mark the course, of these, our *infant* days ;
 Then months, ay years, sped o'er, and I grew unto *childhood*, still
 I was a mere automaton, moved by another's will :
 My mind was nearly dormant through these earliest stages, for
 Reason was but as instinct yet, *or very little more.*"

The stage of innocence and ease once over, the world with its cares and commotions breaks upon the rising man. It will be observed that Sir Hesketh's illustrations on the subject are mainly borrowed from the sea.

" Then *manhood* came—but oh ! how soon the gathering storm begun,
 With fitful clouds, to dim the light of morning's cheerful sun ;
 And sweeping o'er the glassy waters, darkened shadows gave,
 Creating first a ripple—till it swell'd into a wave :

While ever 'mid the surgy strife, the tempest onward bore,
 By little, and by little still, all tending to the shore,
 Like billows in the ocean's deep, when far away at sea,
 In *manhood's prime* the soul expands, exulting, careless, free ;
 Yet ever, as we press towards the may-be distant land,
 Forget, that wave but follows wave, to die upon the strand."

The storm is long, persevering, pitiless; and poor Sir Hesketh is beaten and buffeted, chucked and tossed, ducked and soused by the savage waves of destiny, till the breath of life is all but gone, and humanity chemically absorbed in salt water. One would imagine it not so much the human state, as the career of some water-fowl, coot or sea-gull, that he is describing: the picture is so very wet, watery beyond every thing, such an embodying of brine. Human nature is exhibited as suffering under the most absolute despotism of this formidable element: the awful dam has burst, innumerable mouths are full, throats struggling; and the raging flood bears along a gulping, gasping, gurgling, choking mortality. So powerful an effect, indeed, did the description produce on our imagination at the time, that we had difficulty in persuading ourselves, under a cloudless summer sky, that we were not wet through, and that our clothes were not in a dripping state; and the delusion overcome, we still retired under a hedge for a considerable time to avoid the soaking shower which appeared immediate. But even the storms of fate have their appointed time, at which they begin to subside, and Sir Hesketh having had to swim most lustily for it, at last feels himself approaching his natural haven and place of repose.

"*I'm now arrived in shallow tides, the rocks and sands appear,
 The haven of my pilgrimage seems very, very near.*"

Sweet thought—consolatory to the wearied spirit: the shallows are arrived at—the shallows suit me entirely, they are congenial to my soul; when I am in the shallows then I am sure that my haven is "very, very near"—so near, so very, very near that we feel we may almost congratulate the exhausted poet on his safe arrival, and actual landing on his own dear native shore, where we heartily wish him all peace and tranquillity till

"On that strand, with dying sound, the curling wave shall dash,
 And all the busy schemes of life be broken in a splash."

There is much simplicity in the following

"SONG.

"BY MISS E. SCAIFE.

"She was not fair, she was not fair,
 The lady of his choice—
 He lov'd her for her gentleness,
 And for her sweet, low voice ;

He lov'd her for her quiet smile,
 Her feelings pure and high ;
 He lov'd her for her innocence,
 And maiden modesty —
 Her innocence, her innocence,
 And maiden modesty !

“ He lov'd her first, and she lov'd him
 Because he lov'd her well ;
 And they were happy in a love
 That Time could not dispel.
 Yes, they were happy through the change
 Of every mortal scene ;
And now they sleep together well
Beneath the churchyard green—
Yes, now they sleep together well,
Beneath the churchyard green.”

“ *Facilis descensus Averni.*” The blissful pair are certainly very soon conducted to their last long home : but perhaps Miss Scaife does not think herself to blame for having little to say about a happy couple.

There is a common poetical figure, and a very effective one, by which departed friends, supposed for the moment to be still alive, are summoned to appear. No answer being received, the supposition breaks down, and the reality of the loss comes forcibly across the mind of the bereaved. We have a very clear and pointed illustration of this figure in a

“ MONODY.

“ BY MISS HANNAH F. GOULD.

“ They're all, all gone, my loved, my own !
 With swelling heart and swimming eye,
 In our old home I sit alone,
And call them ; but there's no reply.

“ I see no dear, familiar face,
 I hear no soothing, kindred tone :
 The hush profound, the vacant place,
Assures me I am all alone.

“ *I ask the moon so sadly fair,*
 The night's cool breath through shadows drawn,
 ‘ What are they who were mine ? and where ?’
A void but answers, ‘ All, all gone !’

“ *I pray yon holy evening star,*
 Since here they are no more to come,
 To tell me how and where they are ;
But Silence answers, ‘ All gone home !’”

We have no observation to make on the following, except that the first assertion is a bold one. An erroneous statement was perhaps hardly necessary to illustrate the acknowledged vastness of the subject in hand :

“ INFINITY.

“ BY JOSHUA MINTY.

“ *How many globules in the deep sea lie ;
How many grains make up its lengthened shore !
How many atoms form the mountains hoar !
Man hath the power to scan with steady eye ;
E'en the receding void of the blue sky
Cannot exhaust his spirit's strength to soar,
Though ages flee away, time be no more,
And the long flight demand Eternity !
But what bold effort of the strongest mind
Can bear the thought of that which ne'er began ?
The keenest vision overstrained, turns blind,
And fails so limitless a space to scan ;
When Ocean's bed shall in a nutshell be,
Then may the finite grasp infinity !*”

The author of a poetical address to Naples, full as he is of his subject, need not shout so loud : Vesuvius and Herculaneum will hear him quite as well if he speaks in a quiet, gentlemanly tone :

“ What thoughts

Can illustrate that spell upon the soul,
Which thou alone of cities, Napoli,
Canst e'er impart to those who gaze on thee ?
Speak, oh, Vesuvius ! and give up the charm
Thou own'st above all other mountains !—break
Thy dread mysterious silence ! Thou didst call
In tones of anger to the heathen race
That lay in vile corruption at thy feet !
Thou seem'st th' eternal tomb upon the grave
Of sinful men ; and, thus thy labour done,
Art fitted now for immortality !
Speak, Herculaneum, from th' impending mass
Of lava, and declare, thy sins atoned,
Have won a place for thee, where spirits bless'd
Their fabled sports, in peaceful ease, enjoy.
Pompeii, be no longer silent ! now
Arouse thee from thy ashes to pronounce
By what enchantment thou canst animate
The scene around, though thou so long art dead.
Do the shades of the Roman crowd flit by,
Across our path ?—invisibly attend
Our ev'ry footstep, whisper in our ear

Their fate, that now they seem again to live !
Is the air peopled with impassioned life ?

* * * *

“ Ye islands, who inhabit the vast deep,
Why have you sent the loveliest to grace
This azure mirror that reflects the sky ?
Speak, Capri, Ischia, Procita, and thou,
The humblest, Nisita, who guard'st the Bay
Where Roman luxury, secure, repos'd ?
Enclosed the sea with palaces—confined
The lake, to wait her appetite with fish—
Rare produce from far distant Oceans brought ?
Why are ye thus combined in loveliness ?
Why make all countries desolate, but *this*
A Paradise ?”

The poet is determined on making all nature vocal : he even proceeds farther in some other addresses, and on the idea apparently that blasphemy enriches the poetical effect, becomes sadly wild and impious toward the climax of his piece.

Now for a nice pretty little innocent phantasia : the “glitter” and the “twitter,” and the “whisper” and the “lisper,” are so charming :—

“ Softly the waters *glitter*
In the sunny ray ;
Sweetly the wild birds *twitter*
On the bending spray.
Yet a tone of sadness
Mingles with their glee :
Where is now the gladness
Of light and melody ?

“ What hath taught the flowers
With their gorgeous dyes,
From my own gay bowers,
To look like pitying eyes ?
Oh, the very sunbeam,
Touching thus my brow,
Seems sad in the bright stillness
Of its shining now !

“ Whisper, fountain, *whisper* !
Tell me what thou art ;
Art thou grown a *lisper*
For some lonely heart ?
I have learnt thy language,
I can love its tone,
For it seems the echo
Springing from mine own !”

We shall make the loyal reader finish our article with a hearty

shout and waive of his hat, the band playing the national anthem, while he reads a poetical report of the Queen's speech—yes, the Queen's speech in verse. Mrs. L. H. Sigourney deserves credit for the novelty of an idea, which is so opposed, too, to certain current impressions respecting that document. We have read a profane parody of a Queen's speech somewhere—we forget the exact words—but her Majesty states with great gravity that the Thames continues to flow through London, and goes on with a series of facts of the same important but well-known class, which she submits to the consideration of the two Houses. This is an exaggeration: yet the composition, we believe, even amongst dutiful and well-disposed subjects, has ordinarily had a reputation for dryness. The more honour due to the bold patronage of Mrs. Sigourney: under her inspiring touch it completely vindicates its character; and the cold, barren, ministerial document glows with the warm colouring of sentiment and pathos:

“ VICTORIA OPENING THE PARLIAMENT OF 1841.

“ BY MRS. L. H. SIGOURNEY.

“ There was a scene of pomp.

The ancient hall,
Where Britain's highest, in their wisdom meet,
Show'd proud array of noble and of peer,
Prelate and judge, each in his fitting robes
Of rank and power. And beauty lent her charms,
For, with plum'd brows, the island-peeresses
Bare themselves nobly. Distant realms were there
In embassy, from the far, jewell'd East,
To that which greenly meets the setting sun,
My own young native land.

Long was the pause
Of expectation. Then the cannon spake,
The trumpets flourish'd bravely, and the throne
Of old Plantaganet, that stood so firm,
While years, and blasts, and earthquake-shocks dissolv'd
The linked dynasty of many climes,
Took in its golden arms a fair young form,
The Lady of the kingdoms. With clear eye
And queenly grace, gentle, yet self-possess,
She met the fix'd gaze of the earnest throng,
Scanning her close. And I remember'd well
How it was said that tears o'erflow'd her cheek,
When summon'd first for cares of state to yield
Her girlhood's joys.

*In her fair hand she held
A scroll, and, with a clear and silver tone
Of wondrous melody, descanted free*

*Of foreign climes, where Albion's ships had borne
 Their thunders, and of those who dwelt at peace,
 In prosperous commerce, and of some who frown'd
 In latent anger, murmuring notes of war,
 Until the British Lion clear'd his brow,
 To mediate between them, with a branch
 Of olive in his paw. 'Twas strange to me,
 To hear so young a creature speak so well,
 And eloquent, of nations, and their rights,
 Their equal balance, and their policies,
 Which we, in our republic, think that none
 Can comprehend, save grave and bearded men.
 Her words went wandering wide o'er all the earth,
 For so her sphere requir'd. But there was still
 Something she said not, though all closely twin'd
 With her heart's inmost core. Yes, there was one,
 One little word, imbedded in her soul,
 Which yet she utter'd not.*

Fruitful in change
 Had been the fleeting year. When last she stood
 In this august assembly, to convoke
 The power of parliament, the crown adorn'd
 A maiden brow: but now that vow had pass'd
 Which Death alone can break, and a new soul
 Come forth to witness it. And by the seed
 Of those most strong affections, dropp'd by Heaven
 In a rich soil, *I knew there was a germ
 That fain would have disclos'd itself in sound,
 If unsupprest.* Through her transparent brow,
 I could discern that word, close wrapp'd in love,
 And dearer than all royal pageantry.
*Thy babe, young Mother! Thy sweet, first-born babe!
 That was the word.*

And yet, she spoke it not,
 But rose, and, leaning on her consort's arm,
 Pass'd forth. And, as the gorgeous car of state,
 By noble coursers borne exultingly,
 Drew near, the people's acclamations rose
 Loud, and re-echoed wildly to the sky.
 Long may their loyalty and love be thine,
 Daughter of many kings!"

ART. VII.—*The Performances of Ancient Music.* From 1836 to 1842. Published by permission of the Royal and Noble Directors. London: Wilding.

Two years ago, a friend was travelling in Belgium, where he fell into conversation with an eminent ecclesiastic of that country upon the comparative state of religion in England and on the Continent. In the course of this conversation, of which our friend took notes, the ecclesiastic made the following remarks. "There is a very general disposition among us Continental Catholics, to give you English credit for sincerity and general probity, according to your own views and principles; but what strikes us is that, as a nation, you have *lost the moral sense*, and do not see the incongruities, in the midst of which you live." "A heavy charge," rejoined our friend; "but can you give me some instances?" "It is continually brought home to us," said the other; "but I will exemplify my meaning by one or two strong cases, which occur to me at the moment. Before your Reformation, there were in England, as elsewhere, certain religious services, which had existed from time immemorial, and by which almost every important action of life was sanctified by asking God's blessing upon it. If a new house were built, the priest was summoned to invoke peace upon it and its future inmates. If a ship were launched, it was also under the solemn benediction of a priest, and with a prayer that, like the ark on the waters of the flood, and Peter on the sea of Galilee, it might be sustained by God's right hand. Again, there were services for the jubilee of the married life, and upon the contract of marriage, as well as upon other occasions of domestic interest. All these you have deliberately abolished; you banish religion, as we are told, at times like these, as an unsuitable accompaniment to your festivities; and in the case, especially, of the launch of a ship, you have substituted what seems to us nothing less than a profane mockery of the Sacrament of Baptism, which you call 'christening' the vessel." "Stop, stop," said our friend, interrupting him; "you are too hard upon us; I assure you no profanation is intended; it is an old custom; a mere pleasantry." "That is just what I am saying," answered the ecclesiastic; "you *mean* no harm by these things; you do not see that they are wrong. You have lost your *moral sensitiveness*. We read of these proceedings in your newspapers; but we read of no remonstrances against them on the part of your bishops."

Without desiring to go the full length of this criticism, or forgetting that it is no *peculiarity* of Englishmen, to be more quick-

sighted to their neighbours' faults than their own, we certainly do feel that there is a good deal of justice in the observation. And as it forms, although, in one point of view, a severe, yet in another a charitable, account of certain (abstractedly speaking) very gross violations of religious decency and propriety upon which we are going to comment, we the more readily draw attention, in the first instance, to the excuse which it suggests in behalf of our prevailing obliquity, or dullness, of moral vision.

A subject then which seems to afford at once very strong ground for the animadversion of our neighbours, and some ground for their severely merciful apologies, is that of our mode of dealing with sacred buildings, on the one hand, and sacred subjects on the other, as instruments of gratification to our more æsthetical propensities; we mean, especially, in the instance of oratorios, and other performances of religious music, whether in or out of church. We yield to none in our estimate of the unrivalled power of music as an aid to devotion, and shall hardly be suspected, thus late in the day, of questioning the absolute duty of employing whatever is most beautiful in nature and refined in art, in the service of the Sanctuary. But, just in proportion to our sense of the high moral and religious capabilities of music, is our grief at finding it so often debased to the level of a *mere art*, and that even in the department, of all others, in which it should be secured against the intrusion of purely secular ends and associations.

The point to which the following observations are meant to tend, is this; that sacred music ought always to be a *devotion*, never a simple *performance*. It ought to be a religious act from first to last, in composer, performers, and hearers. Above all, for this is at the root of all, it ought to be an *item in worship*. In order to be such, it need not be (as in chanting) a mere elevated mode of utterance; it ministers, in Divine service, to another and most important end, besides any purely *instrumental* one, viz. *contemplation*; and, with a view to this end, admits of having the utmost power of refinement brought to bear upon its execution. Still it is degraded, according to the true Christian estimate, when it is made to subserve the purposes of mere *taste*, does not directly lead the mind of the hearer to higher objects, and is engaged with the words to which it is applied, not as they express a number of most solemn ideas which it is meant to bring out and illustrate, but as mere subsidiaries to its own present effect.

Now it is perhaps difficult to give any reason, beforehand, why these conditions should not be adequately fulfilled in a sacred oratorio, detached from the direct services of the Church. And we are far indeed from meaning that oratorios, even with their

actual drawbacks, of which we are to speak, have not, again and again, in this or that instance, contributed very materially to true religious edification. On the other hand, it may be urged, that even pieces of sacred music, which enter into Divine service, though, if it may be said, *episodically*, rather than as part of the continuous act of worship (such as anthems), will always tend, (from the very fact of their not being strictly subordinate and ministrative to the service, but, on the contrary, directed to some special purpose of *effect*,) to somewhat of an *exhibitory* character. All this is very true, and yet it does not, we think, materially alter the question.

As to oratorios, against which we admit that it is difficult to find any *à priori* ground of quarrel, the question concerning them "solvitur," as old Aldrich says, "ambulando." How do they *work*? Are they practically a "devotion" to one in a thousand of those who attend them? We cannot think so. But if not on the whole religious, they must be on the whole irreverent; for they involve an absolutely unlimited dealing with sacred subjects. We suspect that they are innocent, as a general rule, in proportion as they recede from directly holy ground. And then, being merely innocent, is different from being positively devotional. We see, for instance, little or no harm in "Judas Maccabæus," or "Samson," or "Solomon," as performed in a concert room. But when we come to the "Messiah," the case is different; and it seems harder to determine where, and how, such a composition can be performed with any good prospect of securing, on the whole, the great objects for which sacred music is obviously designed. Let there be in the execution and reception of this celebrated (and, as we must ever feel, justly celebrated) oratorio, infinitely more of reverence than there ever was, or ever will be; still, surely, an unconsecrated building, far more a room, in which the oratorio alternates with the concert, ball, scientific lecture, or public meeting, is not a place for the enunciation of words so unspeakably solemn, as those of which "the Messiah," from first to last, is made up.

Neither do we escape difficulty by carrying our oratorio into church. For into church we carry along with it, and that, as should seem, of necessity, a variety of concomitants, which desecrate the holy building quite as much, as, in the former case, the oratorio itself was desecrated by the profane one. This is precisely the choice of evils by which the whole subject of oratorios appears to be perplexed. You cannot escape desecration somewhere. Who does not know the cruel handling to which a church must be exposed, and that for days and weeks, before it

can be made available to the performance of an oratorio? A vast orchestra must be erected for the admission of a body of players and singers, gathered no one can tell whence, and consisting no one can tell of whom; whose bond of union is a profession singularly fertile in temptations, and far from proverbial for respectability; whose common claim upon our favourable judgment, is the possession of qualities so little necessarily moral or religious, as those of a powerful voice, or an expert finger; and whose common motive in flocking to that Sanctuary which we are defacing and mutilating to accommodate them, is, the love of human applause, or the thirst of filthy lucre. In another part of the sacred edifice, meanwhile, similar mischiefs are in course of perpetration, with a view to the comfort and convenience of another and equally important body—the audience. A prodigious gallery is erected at the west end of the church, for those who can afford to pay a guinea for their tickets, with “reserved seats” in front, for the *grande*es of the first class. It is covered with rich crimson cloth, with elegant festoons of the same material, and perhaps suitable devices. Similar arrangements are continued on either side of the nave, the lofty arches of which now, for the first time, become patient of modern expedients for the accommodation of “company.” The area is converted into a “pit,” while the five-shilling tickets” are condemned to the space under the galleries. Who, moreover, can count the steps of irreverence by which this painful consummation has been reached? The hammering, the boring, the paring, the profane treatment of holy objects, and the wanton violation of privileged recesses; consequences melancholy, where unavoidable, twice melancholy where gratuitous; just excusable where encountered with the view of rendering the sacred building more suitable to its proper objects; quite inexcusable, where entailed by the attempt to turn it into a mere place of exhibition and amusement.

For such, after all, we must consider, are the motives which chiefly predominate among the attendants at an oratorio. The plea of charity is surely a mere pretence. Not one in a hundred of the company practically knows to what particular “charity” the benefits of the meeting are to be applied; whether to a hospital for the sick, asylum for the destitute, school for the young, or penitentiary for the erring; whether for the comfort of the body, or the edification of the soul. And the few upon whose minds this fact has been obtruded, among the notifications of the colossal placard in which were announced, still more conspicuously, the names of the principal performers, bestow surely but little thought upon the poor and needy, as they receive, in exchange for their

guinea, a ticket printed in blue letters, with a beautifully embossed border and appropriate emblems. It is true, that there is generally a "collection at the door." But this is voted, on all sides, a "tax," and, although something is ultimately yielded to the graceful solicitations and winning smiles of the noble collector or bewitching collectress, yet almost every one feels it hard to be stopped for money after having bought a guinea ticket, and when all the fun is over.

But we are anticipating. The eventful morning is "ushered in," as the newspapers say, "by the ringing of bells;" for a musical festival is a great event in a country town, and to country towns, with very few exceptions, this peculiar species of gaiety is confined. Indeed, such meetings were formerly encouraged by the nobility and landed gentry, very much with the view of promoting the interests of the neighbouring borough, and perhaps, also, their own interests in it; till the provisions of the Reform Bill clashed with the latter of these objects, and the democratic bearing of the towns themselves was felt as a discouragement to the former. And now, all parties (that is, all who can afford to pay) are seen moving towards the scene of attraction, the church; the "doors" of which are "opened" (contrary to the practice at other times) full two hours before the commencement of the "performance." The unhappy poor must content themselves with a sight of the splendid equipages and their elegantly dressed occupants as they descend from them; for, alas! no spectacle and no music for them; except, at times, the distant peals of some grand "double chorus." At the entrance of the church, barriers are erected, which slowly yield to the pressure of the parti-coloured tide, as tickets are smilingly accepted and checks benevolently tendered. On either side of the matted landing-place, which is reached by a staircase of easy ascent, are stationed gentlemen with white wands and rosettes, who usher the parties into the gallery (if *petits gens*), and (if *grands gens*) escort them to the reserved seats in front. The occupation of the latter, as it is an immediate preliminary to the overture, is always a subject of especial interest to the vast body of the audience, most of all to the tenants of the seats *under* the west gallery, who have been looking repeatedly at their watches since nine in the morning, the hour at which they were obliged to secure their places. Not, indeed, that they are made any otherwise conscious of the important arrival, than by a general buz of satisfaction, and by the upturned eyes of the comfortable-looking people in the area. Meanwhile, the reserved parties having duly adjusted themselves, and recognized their less favoured acquaintances in other parts of the gallery, a signal is given by the president, and, O happy mo-

ment! the overture strikes up. Who needs to be told of the ubiquitous glance shot like lightning through the spacious range of the orchestra by the eagle-eyed master of the band (we have François Cramer before us), his first upraised, then slowly descending arm, and energetic stamp of the foot, and countenance gradually relaxing from the sternness of authority into the complacency of success, as his signal receives its response in that astonishing "coincidence of fiddlers' arms," which so struck the late Dr. Cyril Jackson, when once induced to attend a concert, and in that first protracted note of the overture, the reward of so much patient expectation, and the harbinger of so much indefinite delight?

Who would not at this moment fancy himself or herself in the Hanover-Square Rooms or the Opera-house, rather than in the Sanctuary where prayers are said and sacraments celebrated?

Nor is the illusion dispelled in the progress of the performance. Presently some *prima donna* is duly introduced and makes her obeisance to the altar—of the god of this world. She courts, and is courted in return; it is hard in this case to say which is the idol and which the idolater; to determine whether the pole-star of worship is towards the east in the orchestra, or towards the west in the gallery. One thing alone is evident, that the question is about idolatry of some sort; that the ordinary laws of the place are suspended, not to say reversed, and its associations, *pro hac vice*, set aside. If other altar there be in the church besides the corresponding shrines of fashion and "talent" (which is doubtful), at all events it is out of sight and out of mind. It is, moreover, unhappily notorious, that sacred oratorios are often the occasion, and churches sometimes even the scenes, of those ill-suppressed jealousies and angry contests for precedence, which are the too frequent accompaniments of all theatrical exhibitions. As a proof of the irascibility of the musical nature, we well remember to have heard of an occurrence which, if the parties had been gentlemen, would have been called an altercation, but which, as they were ladies, is more suitably described as a "tiff," between the late Mrs. Salmon, and another eminent vocalist who shall be nameless, arising out of a supposed unfair adjudication of "large capitals" in the bill of announcement.

Talking of bills of announcement, we must not forget to mention, as one of the counts in our charge against oratorios, the incongruous juxtapositions which these placards sometimes exhibit. Some years back, one of them was displayed on the walls of Oxford, on which was recorded the following series of attractions, in alternate blue and red letters: 1. "The Messiah;" 2. "The Creation;" 3. "The Last Judgment;" and then, as the climax,

"A Grand Ball!" The *dissenters*, we recollect, protested, as well they might; and so the document was altered into a less offensive shape. But we have no recollection of any objection to the proceeding on the part of the Vice-chancellor and Heads of Houses.

As opportunities for the exercise of charity to the *giver*, we have already observed that these "Musical Festivals" are a complete delusion. And this, perhaps, is enough to determine the question of their claim to the character of charitable works at all; for we have shrewd doubts whether "he who takes" is ever really the better for the gift which "blesses" not "him who gives." Perhaps it would be better, for instance, that a church were not built, than that it should be built out of the profits of a bazaar or charity-ball. But this will be called an extreme sentiment; and therefore, for the satisfaction of the more practical reader, we will add that, even as respects their hard produce, oratorios have been found a decided failure. The reason is obvious. Every one now goes to London by the rail-roads; every one, therefore, whose support of these festive meetings is worth having, can hear the best music at the fountain-head, and at a trifling cost; and thus the country performances have no chance, unless the "first talent" be engaged. But the "first talent," in the musical line at least, is far from apt to recognize instinctively the alleged connexion between modesty and merit; it rates itself highly; and thus the whole receipts of the "Festival" (the collection at the doors excepted) are oftener than not swallowed up in "paying" that important personage, "the piper," whether vocal or instrumental. Nay, since the managers of these performances always, with a very honourable feeling, refuse to apply any portion of the collection at the doors to the remuneration of the musicians, the deficiency must often be made up out of their own pockets. We believe that very great generosity of this kind has again and again been practised by the noblemen and squires of the midland counties, who, rather than break up meetings which seemed to afford a great deal of innocent pleasure, even when they did not realize more solid advantages to the local charities, have gone on, year after year, giving up their time, and pledging their purses, in an often unthankful service. It is in this way, we believe, that the aboriginal meetings of the "three choirs" of Worcester, Gloucester, and Hereford, are still sustained; though they have repeatedly seemed to be verging to their fall. On the other hand, the Derby music-meeting, which, in our own younger days, was one of the most celebrated, has, we understand, come to an end from the cause we have just mentioned. The great festival at Birmingham still keeps its ground; and, as the sacred pieces are there performed, not in a church, but in a vast music-hall, it is liable to

none of those objections, at least, with which we have just been engaged. The meetings at York, which for a short time went on triennially, and to which the giant dimensions and rich decorations of the Minster, gave, in the eyes of those who were not shocked and pained by the desecration of it, an unparalleled magnificence, were terminated by the calamitous fires which have twice devastated that ill-starred fabric.

"Musical Festivals" have never taken deep root in London soil. The great Handel commemoration was of an age before us; but octogenarians say—how far, because it was an event of their youth, we cannot answer—that the York Festival of 1825 (of which *we* retain a distinct and brilliant recollection) was a mere "joke" to it. Ten years ago, some oratorios were performed in Westminster Abbey, under the patronage of his late Majesty and the good Queen Adelaide, which were generally considered a failure. As to London, indeed, it is the scene every year, during May and June, of one prolonged "Musical Festival;" only that the churches are rarely if ever invaded. We must not, however, forget two seeming exceptions; the "Festival of the sons of the clergy," and the great meeting of the metropolitan "charity children," held annually in St. Paul's. Of these we shall say in passing a very few words.

Both of these musical meetings, if they may be so called, differ from those of which we have just been speaking, in including the celebration of Divine Service. Whether this, however, makes matters better or worse, we cannot quite determine. On the one hand, it takes away the appearance of giving up the cathedral to the mere purpose of an exhibition; on the other, it renders the faults of omission and commission, in point of reverence, which these solemnities involve, either in the way of necessary accompaniment, or of inseparable accident, still more distressing, from the fact of more being professed. We much fear that, instead of the Service consecrating the musical performance, that performance rather tends to desecrate the Service. On both of the occasions in question, the visitors evidently regard themselves rather as an audience than as a congregation; they chatter, turn themselves about as the voice of the preacher or the peals of the organ successively attract them to this or that quarter of the building; they sit during the prayers (indeed they cannot help themselves), make use of eye-glasses, and eat sandwiches and biscuits. Many of these proceedings (we do not mean the very last) used to go on every Sunday afternoon at Westminster Abbey; but we have heard that there is a great change for the better in the ordering of that establishment. At the festival of the sons of the clergy in St. Paul's, the mischief arises mainly from the practice of *taking*

money at the doors, which is like proclaiming (literally *in limine*) that the interior proceedings are of a theatrical rather than a devotional character. And such being the case, we do not see that things are mended by the performance of Divine Service, which thus looks too much like a mere expedient for introducing the music. Moreover, *one* Service, thus got up for effect, and from which the *poor* are necessarily debarred, is but a sorry compensation for the series of morning and evening offices which it displaces, first during the process of fitting up, and next during that of dismantling, the cathedral.

Many of the indecencies to which these occasions give rise, imply no fault either in the officers of the church, or in the immediate directors of the solemnity, though they are doubtless parts of a system, which, though (it may be hoped) gradually breaking up, has yet the inveteracy of one or more centuries' growth to get over. Thus, at the anniversary meeting of the school-children in St. Paul's cathedral, we have seen scores of men, who had been admitted by tickets to the benches in the nave, sitting *with their hats on* till the beginning of Divine Service, as if the sacred building, up to that period, had less claim upon their respect than an ordinary gentleman's drawing-room.

What an opportunity, by the way, is lost, at this said anniversary in St. Paul's, of a splendidly effective religious ceremonial! Even as it is, the sight of several thousand children ranged up the dome is very beautiful and interesting; but what would it be, if, instead of a cheerless looking pulpit and reading-desk, reared for the occasion, in the nave, the choir were opened for full cathedral service, with lines of clergy, duly habited, and the Bishop of London assisting *in pontificalibus*? Even an ordinary Confirmation in a foreign church, with not a tithe of the capabilities of religious effect which our own Metropolitan Cathedral presents, is an incomparably more impressive sight than the Anniversary Meeting of the schools. The appropriate dress and insignia of a Catholic Bishop, the multitude of attendant priests, deacons, sub-deacons, and incense bearers, the austere solemn chants of Pope St. Gregory, the fragrant clouds of incense, the lights on the Altar, like seven resplendent stars, the surpliced serving-boys, with their innocent looks, and reverent gait, and often genuflections, assuredly suggest in the ceremonies of the Church abroad a certain idea of *worship* which, we confess, that we desiderate, with all for which we have to be thankful, in the ordinary administration of our Reformed ritual.

From performances of sacred music in churches, we return to the subject of similar performances in concert-rooms, which have at least the advantage of leaving consecrated buildings clear of

profanation. We have no wish to be thought strait-laced in such matters; and are so sensible of the value of rational amusements that we would willingly rather stretch a point than seem to put any additional limitations upon the actually scanty number of those which among ourselves are open to Christian persons. Our objection, however, to what are called sacred concerts is not that they are too gay, but that they are too grave; or rather that, like the game of chess, they are too serious for a recreation, and too light for a business. It is surely a point even of religious importance, to keep things, according to the rule, to their proper times and places. We confess to a very considerable mistrust of the principle which is not without its advocates in our day, that amusements are a loss of time, if they do not directly *tell* in the way of instruction or "edification." This view had its earliest illustrations in the historical games, and scientific puzzles, of our youth; and is the foundation also of many well-meant efforts of the past as well as present generation, in the shape of sacred dramas and religious novels. We are also told of modern schools in which, with the best intentions, but under, as we must think, a mistaken notion of education, the good old-fashioned diversions of cricket, foot-ball, and leap-frog, are superseded by exercises of a more serious character and a more productive tendency. Now we cannot but think that as the *ἀρετή* of "work" is to be laborious, and of devotion to be abstracted, so that of recreation is neither to be business-like nor "serious," but simply *refreshing*. Give us, then, the history by itself and the puzzle by itself; let us have, if so be, the novel, but let it be a good novel, and not a collection of spoiled sermons. Do not stipulate that all our walks shall be rationalized by botanical investigations, all our rides issue in geological lectures; do not seek to "improve" every thing; do not debar us, we intreat, from unphilosophical scrambles and aimless gallops, nor seek, on the other hand, to insinuate doctrine through charades, or illustrate truth by magic lanterns. The more entirely recreation involves disengagement and relief, the better, one should think, it must answer its main purpose of ministering to the performance of duty. And this would seem to be the idea under which the Church portions out time into down-right work and pure holy-days; intimating, in the very term by which she designates the season of rest and relaxation, that it is to be of a strictly (but not therefore, of necessity, directly) *religious* nature, i. e. innocent and unselfish, full of thankfulness to God and love of our brother, sanctified by devotional auspices, and made subservient to Christian ends, yet still entailing an absolute cessation from labour, care, handy-work, and head-

work; and, we will also add, free, as a security for reverence, from any *direct* bearing upon sacred objects.

It is under this view of the character of Christian recreation, that we feel sacred music to be out of its element at a concert, or even in a (large) private company. When people are taking recreation (especially in a body), they ought to be merry; but who can be merry during the performance of Luther's Hymn or the Hallelujah Chorus? The commencement of "Angels ever bright and fair," on the pianoforte by the young lady of the house, after dinner (we are still speaking of *mixed* parties,) is the signal for solemn faces and sentimental observations; most unsuitable as well as most undesirable accompaniments of a social meeting. Whose moral instinct is adequate to the task of instantly resolving upon the right course of action, when the conversation in the drawing-room is suddenly hushed by the commencement of the *Venite exultemus* to a Gregorian chant? What, under such unexpected and unusual circumstances, is the right posture of body and the right frame of mind? Is one to sit or to stand, to sing, or to be mute, to meditate, or to compliment? We cannot but suspect that the country dances and round games of a former generation were founded in a deeper philosophy than many of the modern expedients for combining edification with entertainment.

And thus, we are far from feeling sure that in the question between a sacred Oratorio and a Pantomime or Opera Buffa, the balance, in a religious point of view, is clearly on the side of the Oratorio. The theatre, alas! as actually conducted, must be prohibited ground to Christians, and we are far from desiring to include performances of sacred music in the same interdict. Still we must protest against the view that sacred music is necessarily religious, merely because conversant with a religious subject. This is surely a prevailing and considerable fallacy. There are many excellent persons who proscribe what they call "worldly music," in their families, and encourage sacred singing to an unlimited extent. Or, again, who make the whole difference between a play and an oratorio. Yet we suppose that there is at the present time quite as much danger of irreverence as of irreligion; of making sacred things too cheap, as of making them too scarce; of obtruding religion upon the unworthy, as of denying it to the devout; of introducing it at wrong times, and in wrong places, as of stinting it at the right.

There is perhaps also a tendency, at this time, to consider that this peculiar danger is essentially connected (*intimately* connected no doubt it is) with peculiar *phases* of religious character and belief, and not rather with the general temper of the day, and the prevalent leaning of human nature. When shall we learn that the

"Catholicism," of which we hear so much, is a habit of mind, and not a collection of opinions? not certain insulated "views," but a certain way of viewing *every* thing? It is very important to remember that no safety against heretical errors is implied in a keen sensitiveness to the corruptions of the Gregorian Chant, and that some of the worst evils of Protestantism may consist as well with the admiration of Palestrina's Masses as with a hankering after Wesley's hymns. We are not to suppose that the *spirit* is necessarily Catholic, because the *materials* upon which it is employed are more or less ecclesiastical.

We fear to be thought captious and quarrelsome; yet we must sum up our objections against sacred music (*out of church*) under two heads—1st. the profanation usually involved in the actual execution of it. 2dly. The injury done, on the whole, to the minds of hearers. It never can be right that persons of all characters and no character, of all creeds and no creed, should be hired to utter the solemn words of Scripture and the Church, over and over again, without thought or object beyond those, avowedly and altogether, of this present world. Even *belief* of the sacred truths which these words disclose is no necessary qualification in those to whom they are consigned. No one wishes to say anything unkind of individuals; yet what can be more preposterous than the idea of a company of Christians listening to the sweet words—"Comfort ye, My people"—from the lips of one to whom, perhaps, those words announce no tidings of gladness, and suggest no grounds of thankful remembrance?

The mischief, again, to hearers as well as performers, resulting from all this thoughtless and unguarded handling of sacred subjects must, one should think, be an evil by itself. Words never pass through the lips, or strike upon the ears, in such complete dissociation from the ideas for which they stand, as in singing. Whether it be that singers are absorbed in thinking of themselves or of their audience, of the effect they shall produce, or of the way in which they shall produce it, certain it is that, of all people in the world, they most quickly and imperceptibly contract the habit, to which there are so many and so great temptations on every side, of using words without realising them. This, at least, is the charitable view upon which we commonly explain the fact, that so vast an amount of nonsense, as is contained in the songs usually sung by young ladies and gentlemen, passes out of their lips and into the ears of others, without on the whole effecting any decided and settled lodgment in the mind of any one. We must, however, take the disadvantages of this law along with its advantages; we cannot expect good words to cleave where bad or foolish ones are fleeting; we cannot encourage the habit of

unreality up to a certain point, and refuse to abide by its consequences as soon as they become undesirable.

It is some proof of the great and unconscious extent to which this habit of unreality prevails in the department of sacred music, that objections of a *doctrinal* nature are so easily waived where good singing is in question. Those Masses and Hymns which elsewhere would be accounted to imply idolatrous worship, excite, in the concert room, nothing but simple rapture. Dignitaries of the Church, as we are told, whom no one could suspect of a leaning towards the Missal or the Breviary, are yet as patient and admiring auditors, from time to time, at the Hanover-square rooms, of the "O salutaris Hostia," or the "Stabat Mater dolorosa," as if the matter of these solemn pieces were as little open to controversy as that of "Rule Britannia," or the "Bluebells of Scotland." We mention this circumstance in the way, not of criticism, but of illustration; as showing, only, that words are not considered to mean in a song, what they mean in a different place and connexion. This is precisely the ground upon which serious Protestants defend themselves against the charge sometimes brought against them of indifference to alleged errors, where amusement is concerned. Such a charge is very unfair. It is not that the concert-goers are indifferent to error, but that the idea of error never crosses their minds. "It is but a song," they say, "and there is an end of it. In the mouth of a Priest, these words would be idolatry, blasphemy, and what not; here they do not mean mischief, because they do not mean anything."

But this reasoning, though it goes a good way towards the exculpation of individuals, involves, as we think, the condemnation of the system. Words, surely, are dangerous weapons for mere sport. If we trifle with them at one time, they will refuse to serve us at another. It is difficult to use as a Confession of Faith on the Sunday morning the same Creed which, a few evenings before, has been brought before the mind in the mere light of a beautiful piece of music. And this leads us to make some remarks upon the celebrated "Ancient Concerts," the programmes of which have been rescued from the all-absorbing fate which usually attends upon such ephemeral productions, and given to the world, under the sanction of the "Royal, Noble" (and Most Reverend) "Directors," in the shape of the several compact duodecimos which are named at the head of the present article.

Besides the objections which have now been brought against concerts of sacred music in general, those, to which the volumes in question refer, are liable to one from which the more unequivocal oratorio is exempt. They present such a combination of

the sacred and the profane, as seems to us, we confess, to set all decency at defiance. The ground of selection being here not *style*, but *age*, and the period over which the selectors are permitted to range being a very extensive one, there is hardly any limit to the diversity of subject which a particular concert may exhibit; indeed the object proposed being that peculiar effect which in painting would be called *relief*, the selections will be found rather studious of strong contrasts than merely tolerant of them. Much of this peculiar evil (for such in a Christian point of view we must consider it) has come in with that extension of the range of choice, which originated some years ago we believe with Lord Burghersh. So long as these concerts consisted of *bonâ fide* "ancient" music, there was less scope than at present for those abrupt transitions from the grave to the flippant. Ancient music generally is of a severer character than the more modern; and the change from a sacred piece to a glee was, generally speaking, among the most violent which the primitive laws of selection admitted. But ears familiarized to the insipid strains of the opera soon grew impatient of this burdensome restriction; and the consequence was, that the boundaries of choice were enlarged, so as to include the more sprightly compositions of Mozart and his contemporaries. Thenceforth the austere and the comic, the ecclesiastical and the secular, the devotional and the amatory, *morceaux* of masses, and *scenas* of operas, met, and that too in the closest possible contact, upon the common ground of a somewhat questionable "antiquity." Still, however, these concerts maintain a certain reputation for sobriety and sacredness; whether the remnant of their original character, or the result of the preponderance still given in them to the music of Masses and oratorios, it is needless to inquire. They always begin, and, when Easter is not very early, proceed some way, during Lent; they are especially frequented by clergymen, many of high dignity, with their wives and families; they boast of an Archbishop as one of their directors; and they are considered to form a refuge, at once safe and agreeable, for those who are precluded, whether by their own scruples, or a regard to public opinion, from joining in the more questionable amusements of the theatre or the ball-room.

We distinctly wish to be understood as passing no judgment upon any of the parties, whether directors, performers, or audience, who lend their aid to the support of these celebrated performances. The utmost, as we have said from the first, with which any one can be charged, is a want of consideration, and moral sensitiveness; faults, to which every one of us is continually liable,

and which most of us incur "seven times a day;" to which, if there be many and many temptations from within, there are many more from without; and which are of course peculiarly incidental to times and circumstances in which the notes of religious and moral truth are indistinct, and the voice of authority weak or variable.

Disclaiming, then, as we do, all intention of laying at the door of any one the accusation of conscious irreverence, we shall yet proceed, in the discharge of a public duty, to put before the reader the grounds of the strong opinion we have ventured to express upon the *abstract* profaneness of the musical arrangements in question. We shall accordingly make some extracts from the lists of "Performances at the Concerts of Ancient Music," from the year 1836 to 1842, illustrative of that principle of contrast upon which, as we have said, these selections are constructed.

In the programme of April 27, 1836, we have the chorus "Sanctus, Sanctus, Sanctus, Dominus Deus Sabaoth," directly followed by the recitative,

"Sweep, sweep, the strings, to soothe the royal pair,
And rouse each passion to the alternate air."

On May 1, 1839, the chorus—

"Ho perduto il mio tesoro
La mia ninfa, oh Dio, dov' è?"

was followed by the recitative,

"To Heaven's Almighty King we kneel;"

and that, again, by a sestetto,

"Dove son? che loco è questo?
Chi è colui? color che sono?
Son di Giove innanzi al trono?
Sei tu Palla? O Citerea!" &c.

Occasionally, sacred and profane themes are placed side by side, as if from some supposed affinity in the sentiment. Thus (May 17, 1837,) the following air from *Iphigenia*,—

"Gia la vittima fatale," &c.

is linked with

"Agnus Dei, qui tollis peccata mundi!"

Again (May 1, 1839,) we have in immediate juxtaposition—

"O cara immagine, e senza eguale,
Che non v' ha simile idea mortale," &c.

and

"Alma Virgo, Mater Dei,
Tu spes alta cordis mei," &c.

The list for May 5, 1841, presents the following series :

1. " Then stretch our bones in a still gloomy valley,
Nothing so dainty sweet as melancholy."
2. " Stabat Mater dolorosa," &c.
3. Air from *Romeo and Juliet*; " *Ombra adorata!*"

At times, one could almost suspect a sinister purpose, but the mind falls back upon the idea of a more unfortunate coincidence. For instance, on one occasion we have the " *Te Deum*," and, immediately after it, as if in profane mockery of its words,—

" Ye twice ten hundred deities,
To whom we daily sacrifice."

The latter words look just like the parody of a verse in the preceding sacred Hymn, which we forbear from quoting.

But we have not exhausted our specimens. On one occasion, we have

" *Pro peccatis Suæ gentis
Vidit Jesum in tormentis,*" &c.

immediately followed by airs from " *Il Matrimonio Segreto*," and " *Le Nozze de Figaro*." And (if possible) worse still, " *Sanc-tum et terribile Nomen Ejus*," by

" Now is the month of Maying,
When merry lads are playing,
Each with his bonny lass, &c."

and ending with the chorus, " *Fa, la, la.*"

We shall bring up the rear of our quotations with an effective force. On March 14, 1838, after

" I, my dear, was born to day,
So my jolly comrades say," &c.

we have the penitential prayer of the 51st Psalm,

" *Amplius lava me ab iniquitate meâ.*"

On April 25, 1838, an air from " *Don Giovanni*" is followed by the " *Magnificat!*" while the " *Gloria in excelsis*" is relieved by " *Mad Tom*."

On May 30, 1838, after a song from " *Il ratto di Proserpina*," came " *Benedictus qui venit in Nomine Domini*;" after the passage from the " *Dies iræ*," beginning " *Quando corpus morietur*," " *Mad Bess*;" and after those solemn words of the Nicene Creed, " *Et incarnatus est*," which ought to be said on the knees—a comic song.

The first part of the concert on April 27, 1836, began with the Hymn—

" Lord of Heaven and earth and ocean,"

and ended with a chorus bordering on the indelicate.

On May 15, 1839, the words "Agnus Dei qui tollis peccata mundi," find themselves between "Batti, batti, O bel Masetto," from "Don Giovanni," and an air from "Romeo and Juliet."

On May 22, 1839, the Archbishop of York has the credit of a selection, in which the words, "Behold, I show you a Mystery," &c., are introduced by a love song from the "Così fan tutte."

On May 29, 1839, occurs the following series :

Air. "Un aura amorosa."

Ballad. "When all alone my pretty love was straying," &c.

Chorus. "Immortal Lord of earth and skies."

On March 11, 1840, the distich—

"O no, no, no, resistance is but vain,
And adds new weight to Cupid's chain," &c.

was followed by

"And God created man in His own image."

On May 13, 1840, we have the verses

"Fiends, ghosts, and sprites, who haunt the night,
The hags and goblins do us know,
And beldams old our feats have told,
So frolic it with ho, ho, ho!"

And, as a suitable termination to them,

"Gloria Patri, et Filio, et Spiritui Sancto!"

On May 27, 1840, (the Archbishop of York's night), the audience were required suddenly to transfer their sympathies from the "Gloria in excelsis," to "Voi che sapete che chosa è amor."

May 5, 1841, was a memorable evening. At a certain period there came, first of all,

"Chain me, chain me, O most fair,
Chain me to thee with thine hair!"

and immediately afterwards,

"Laudate Dominum, omnes gentes."

Next, the prayer,

"Miserere nobis, O Jesu, Deus noster,"

was ushered in by the "Overture to the Zauberflöte;" while the impression of the Psalmist's words, "Dominus à dextris Tuis," was instantly obliterated by the popular air, "O Nanny, wilt thou gang with me;" and, lastly, the Invocation,—

"Jesu Christi, Fili Dei,
Tu Spes alta cordis mei," &c.

found its climax in

"Divine Andate, president of war,
The fortune of the day declare."

These specimens will, we think, be allowed to suffice for our

purpose. Here we have, not the mere narrative of sacred events in human language (as in some of Handel's oratorios), but the very words of Holy Scripture and of the Church, Creeds, portions of Divine Service, nay, of the Eucharistic Office itself, alternating directly with addresses to heathen deities, love-ditties, and jovial songs.* We should like to know what Englishmen would say if such proceedings could be shown to take place under the immediate sanction of the Pope and Cardinals. Not that we mean to draw any comparisons between ourselves and the members of the Roman communion in *this* country, favourable to the latter. They are, we regret to say, as servile to the popular taste, as Protestants themselves; and, since reverence for sacred things and places is *their* especial *line*, their offences in this department ought, in all reason, to be visited with peculiar severity.

It is sometimes urged, as an excuse for the introduction into the concert-room of selections from the Mass-service, that the words form no part of the ritual of our own Church. We mention this argument, not, of course, with any serious idea of refuting it. It is remarkable, however, that such reasoning should be apparently extended to portions of that Service, which, like the Nicene Creed, Tersanctus, and Gloria in Excelsis, are retained in our own Liturgy.

The true account, we suspect, of many of the mischiefs to which we have felt it our duty to advert, is to be found in our long and blameable neglect of Church music, in that which is its only genuine and proper character, as an *element*, namely, in *Divine Service*. The inclination towards it which is so strong and general, is one of those cravings of our moral and spiritual nature which admits of being turned to the best account; and it is because this innocent and healthy taste is disappointed in the right quarter, that it seeks its gratification in some less legitimate way. Upon this subject, then, which many circumstances of the present time combine to render both pleasant and interesting, we shall offer a few parting observations in a strain of somewhat greater seriousness than we feel that those who possess no right of authoritative censure are at liberty to adopt in commenting upon the faults and foibles of the age.

It is apt to be forgotten how very much scope for the application of music to devotional purposes is afforded by the provisions of our own Prayer-Book, framed though they were under a lively idea of the disadvantages of a showy and complicated ceremonial. We had intended to enter at some length upon this subject, under

* As a yet more grotesque instance of the mixture of the sacred and profane than any which the Ancient Concerts have produced, we will mention the "*Stabat Mater Quadrilles*."

the powerful auspices of Mr. Dyce, Mr. Jebb, and others, who have done, in different ways, such ample justice to the capabilities of our Service as a medium of solemn and edifying worship. As it is, we must be content just to draw attention to the fact, that our rubrics everywhere permit the use of the "plain chant," that valuable safeguard against the danger alike of bad and of "fine" reading; while, in allowing anthems, and, again, the introduction of music into the Communion Office, they give the opportunity of choice from the works of the best Catholic composers; a due recourse to which, with a suitable care for the solemnity and effectiveness of choral arrangements, would go far towards providing a substitute for those justly attractive but exceptionable *performances* out of church, or out of Service-time, upon which we have now been expatiating.

Far, however, from taking advantage of her actual resources in this respect, our Church, as represented in her separate members, has very signally neglected the use of music as an aid to devotion in the public services of religion. We have been negligent, in this particular, as compared not only with the great body of Catholic Christendom, but with the principal Protestant communions, and even with the dissenting societies around us. Confining our efforts, for the most part, to the mere department of metrical psalmody, we have, even in this chosen province, fallen far below our Scotch neighbours, and the Lutheran and Calvinistic congregations of the Continent, not to speak of the Wesleyans, and others among the national denominations. Our village psalmody was, and in many places still is, miserable in the extreme; whether it be regarded in a musical or in a devotional point of view; characterized, not merely by a supreme disregard of the laws of time and tune (which might easily have been forgiven), but by a want of animation and "unction" most depressing to the Christian heart.

Nor can we feel that devotional music, thus dishonoured in the village Sanctuary, has on the whole fared so much better as might have been expected in our cathedral establishments. It would not probably be a material overstatement of fact to say, that the cathedrals, with one or two exceptions, have presented, at least till very recently, on the week days and Sundays, the alternate appearance of an offensive carelessness, and a hardly less offensive display. Who does not know the indescribable air of nonchalance, not to say sulkiness, with which the "lay vicars" were wont to stroll towards their places (just in time to save the fine), at the daily "matins and even-song," in surplices none of the whitest, and bearing obvious indications of unseemly haste, and a contemptuous estimate of the externals of religion, in the mode of their disposition upon the person? Whose attention has not been

painfully arrested by the ill-suppressed yawns of the senior, and the ill-concealed monkey-tricks of the junior division of the choral body, in most of our cathedrals? On the Sundays, for evident reasons, matters were more decently conducted; yet often surely very uncomfortable in other ways. We know of nothing which more exactly corresponds with the notion of the "theatrical" in worship, than the "Anthem," as it is generally performed in cathedrals. It comes in, where it does, without meaning, or pertinency to the Service; it is frequently chosen with almost marked inattention to the subject of the day or season; it generally involves, in its execution, a considerable amount of purely ostentatious singing; and thus throws the congregation, almost in spite of themselves, from the attitude (the *mental* attitude, we mean) of worshippers into that of spectators. Any appearance of art and effort in singing is manifestly prejudicial to the temper of contemplation in hearers. From the music, which is intended to assist meditative devotion, it is especially necessary that all idea of *self* should be rigidly excluded. The very sight of the singers is unfavourable to the abstraction of mind which contemplation requires, as persons often attest by closing their eyes while the music is going on. But the sound of a solo voice (excepting, perhaps, that of a child), and especially of a voice threading the mazes of an intricate song, has a tendency to awaken those emotions of sympathy with the *performer* which are so peculiarly in the way of any more elevated train of thought.

To many persons, whose opinions are entitled to great respect, our cathedral service, as commonly administered, gives an unpleasant impression of hollowness and formalism. The remedy of this evil is doubtless to a considerable extent in the hands of the attendant worshippers themselves, who are in the habit of yielding their part in the Service to the official singers with hardly an effort to maintain their ground. Indeed, without something of an agreement on the part of a congregation to join in the chanting and responses, the clerk, if so be, or the choir, is almost sure to obtain an undue ascendancy. All, except very bold, or, on the other hand, very simple-minded and humble persons, dislike to hear the sound of their own voice in a public assembly; and the difficulty of joining alone, or with a few, in the common parts of the Service, is greatly increased "in quires and places where they sing." But it is certain that our cathedral arrangements are not generally such as to invite or encourage a participation in the Service. The choir bears too much the appearance of an insulated piece of machinery, constructed almost for the very purpose of taking out of the hands of the great body of worshippers the share in the act of praise which the rubric assigns to them.

There is, undeniably, a view of Christian worship, according to which the several orders of ecclesiastical persons are the parties directly concerned in this holy act of devotion, while the laity are mere *assistants* at the solemnity. But such a view would require us to recognize services of another kind, for which our own Church has made no distinct provision; those, we mean, which are intended especially to furnish the materials of religious *contemplation*. Our own offices of Morning and Evening Prayer are evidently not intended to be merely *choral*, but are drawn up with a direct eye to the inclusion of the "people." We are not determining how far our Prayer-book admits of a (local) separation between clergy and laity. Even this arrangement, however, would not necessarily imply an exclusion of the laity from the chanting and responses, in which they might still join, though in the nave, as is actually the practice (with the best effect) in some of the foreign churches. But, at all events, where, as in our cathedrals, the laity and the choir are thrown together, there seems a peculiar awkwardness in the limitation to the choir only, of the *common* portions of the act of worship.

Much, again, of this particular inconvenience, arises from the complicated style of the music in those parts of the Service in which all who are present should join. The *Te Deum*, one of the few opportunities which our Church allows (in the absence of authorized *metrical* hymns) of uniting in an act of direct praise and thanksgiving, is commonly performed to what is technically called *a Service*, such as can only be executed by professed musicians. It is, we must feel, a decided mistake thus to treat the *Te Deum*, as an object of *contemplation*. The same remark applies to the "*Jubilate*," "*Benedictus*," "*Magnificat*," &c. which are all performed, for the most part, in our cathedrals, not antiphonally to a chant, but as "*Services*."

It is the less irksome to find fault, in these minor points, with existing arrangements, now that so decided a spirit of improvement is manifesting itself on every side of us. We might easily go on, at this point of our remarks, to speak of the artificial psalm-chants of modern times, as presenting a farther and very serious hinderance to that "lusty and courageous" singing, to which the holy Psalmist invites us. But the growing popularity of the simple and heart-stirring "tones" of St. Gregory the Great, as the proper medium of Christian psalmody, may fairly be taken as the pledge of a complete and speedy reformation, in this particular department of the ritual subject.*

* We look forward to a future opportunity of offering some remarks upon this and other matters connected with the subject of ecclesiastical music. In the mean time, we cannot refrain from noticing an opinion which is said to be gaining ground in some

It is undoubtedly a most instructive fact in the history of the Church, that the very astonishing revival of interest in the whole question of ceremonial religion, and especially in the musical branch of it, should have exactly synchronized with the operations of the Ecclesiastical Commissioners. Considering, indeed, the actual administration of our cathedral system, we must ever feel rather grieved than surprised by the readiness with which objections to it were started and taken up. Yet the broad principle upon which curtailments in the different choral establishments of the country were, a few years since, recommended or advocated; the principle, namely, that the wants of man's religious nature are more effectually supplied by cheap and meagre modes of worship, than by a religion, so to say, of "pomp and circumstance," has received about as complete an overthrow in four or five short years, as the most ardent ceremonialist could desire. It is but one of the many proofs which daily experience is bringing to light, of the exceeding short-sightedness of the views of what are called "practical men." How forcibly is one reminded at this time, of such texts as "The Saints shall judge the world;" "The meek shall inherit the earth," and the like! No sooner do our politicians and our reformers take upon themselves, with whatever show of reason, and whatever honesty of purpose, to tamper with the institutions of ages, and to devise new-fangled expedients for accomplishing the Church's work, than immediately all kinds of unimagined, yet overwhelming, obstacles arise on all sides, lightnings from above, and fire-balls from below, to mar the progress of the unholy attempt. So far more creative is ever the patience of the Church than the ingenuity of man; so far more powerful and lasting the influence upon human destinies of the calm contemplations of the monastery, than the diplomacy of cabinets, and the eloquence of senates! The Church is more than a match for the world in the world's own line. We

quarters, to the effect that the Gregorian chants are not suited to country congregations. They are supposed by some to require a greater body of voice, and a greater knowledge of music, than is commonly to be found in village churches. We cannot but think that this opinion is grounded upon a mistaken view of chanting. It assumes, surely, that chanting is some artificial process, instead of being, what it is, a mere melodious form of recitation. *Fulness*, we admit, is a necessary condition of good chanting; but evenness of time, and perfect correctness of tune in each particular voice, though a clear gain where they can be had, are far from indispensable where they are out of the question. It is very possible, indeed, for chanting to be *too* faultless, considered merely in the light of *music*. At least, it is easily conceivable, that its characteristic excellence in town and country may be different. Now, if any chants can fall within the compass of average voices, and the discriminative abilities of average ears, surely they are the Gregorian, presenting, as they do, the least possible range and variety of notes, and not merely bearing, but claiming, to be sung in *unison*. If Gregorian chanting be impracticable in a rustic congregation, then *à multo fortiori*, is all other chanting impracticable; a conclusion, upon which the general practice of the Church from early times certainly throws discredit.

are left in the lurch by our modern experimentalists, and obliged to fall back upon St. Ambrose and St. Gregory at last.

The historian of the present times, if we are not mistaken, will find himself compelled, upon an impartial survey of facts, to set down "that great excitement in favour of the older modes of worship, which took place towards the middle of the nineteenth century," to a reaction from the spirit of the Ecclesiastical Commission, rather than to the direct influence of the "Tracts for the Times." It is curious, indeed, to reflect how little those Tracts have concerned themselves with rubrical and ceremonial subjects. This antipathy to pews, this war against florid chants, this longing after candlesticks and faldstools, credence-tables and sedilia, copes and antependia, painted windows and plain tune, how little, after all, has it been prompted or immediately encouraged by the Tracts! We do not, of course, mean to deny that it is materially connected with that temper of reverence which it has been one great aim of these publications to revive; we are speaking of *direct* efforts in this line. One Tract upon the Breviary, and one upon the Prayer-book, the latter, if any thing, of an anti-ceremonial tendency rather than otherwise, and the former without any obvious bearing upon our own Church Service, are, to the best of our recollection, the only essays in the whole series, from No. 1 to No. 90, which bear directly on the question of external worship. An article or two on the subject did indeed appear in former numbers of this Review, but public feeling has now considerably outrun the recommendations, or hints, which were thrown out in those papers. Principles are now received as all but axiomatic, which, no long time since, were treated at best as mere amiable fancies; and practices have now obtained the countenance of authority, which, on their first revival, were charged with novelty, and regarded as symptoms of restlessness, undutifulness, and we know not what other unchristian tempers.

It is a wonderful sign of the inherent power and tenacity of those religious instincts which the ceremonial provisions of the Church are intended to meet, that neither the discouragement to which they have so long been subjected under the Protestant system, nor the violence offered them in the late attempt to impair the dignity of our cathedrals, should have produced any other effect than that of rousing them into unusually energetic action. So, however, it has been. More has been said and written in this country on the subject of ritual religion during the last three years, than for the century preceding. Deep meanings have been discovered in usages which were formerly accounted superstitious, or frivolous, or at best purely indifferent. Sacri-

fices are now eagerly made to recover what five years ago but few voices were raised to preserve. And, judging from appearances, there is greater likelihood that we shall live to see every parish church a cathedral, in respect of the arrangements for Divine Service, than that any of our actual cathedrals will ever be reduced, as at one time there seemed too much reason for apprehending, to the present scale of parish churches.

Indeed, our present danger, in the matter of outward religious observances, appears to be that rather of a premature than a too tardy development. We have formerly spoken of the evil of substituting imagination for orthodoxy and strictness. Here we will mention also, as in the catalogue of our perils, the temptation to a certain technicality, narrow-mindedness, and formalism, by which the Church of England has ever been beset in times of reaction from Puritan laxity and slovenliness. This, we suppose, it is, against which a living prelate designs to warn us in a recent Charge, in which his Lordship speaks of a "*Chinese exactness*" in conforming to rubrics. Here we take it for granted that a *spirit* must be intended. We have reason to thank all who remind us (*fas est et ab hoste doceri*) that the Gospel of Christ is not candlesticks and faldstools, Architecture and Gregorian chanting, or even surplices and the "Prayer for the Church Militant," (excellent things as are all these in their several ways,) but soundness of doctrine, and saintliness of life, and Christian love, and Catholic unity. It is only when the Bride is "all glorious *within*," that the "clothing of wrought gold" sits becomingly upon her. A Church, which is prolific in Saints, and tenacious of the Faith, has a right to be magnificent in her appointments and dignified in her bearing. And, doubtless, in every state of circumstances, those are consistently and properly studious of the outward "beauty of holiness," who are at the same time earnest preachers of the Cross and resolute maintainers of the Creeds; labouring in their vocation, and according to their opportunities, to bring all "those who profess and call themselves Christians into unity of spirit, in the bond of peace and in righteousness of life." But let us be careful, in all reason, to secure the Creeds while we contend for the rubric. Let us not forget that if the day of splendid churches and imposing ceremonies seem (as it does) to be coming on us apace, that of high devotion, and severe purity, and zealous orthodoxy, and burning charity, is yet, to all appearances, far distant. While thankful, then, for every sign of promise, let us be humbled and stimulated by remembering the coldness, the worldliness, the self-sufficiency, the bigotry, the uncharitableness, the heresies, the scepticism, against which we have yet to struggle. Let us not forget that, with all our boasted

and undoubted advances in a Catholic direction, there are still those in high places among us, who esteem it a less grave error to characterize the questions between the Church and the Nestorian and Eutychian heretics, as the subtleties of Greek sophists and the hair-splittings of Latin schoolmen, than to believe in the Divine virtue of Sacraments, or in the saving efficacy of works done in the power of the Holy Spirit. And let it be further considered, with a view to the same ends of humility and watchfulness, whether there be, on the whole, any single point of *positive* doctrine or discipline, upon which members of the Anglican Church, taken one with another, are so unanimous, as in their disparaging estimate of the rest of Christendom; and whether this circumstance be not rather a note of the *Protestant* than of the *Catholic* character. So far, then, as all this is true, there is reason why our rejoicing in the progress of Catholic opinions should be at times damped by anxieties and misgivings. Still, in the one most material point of *reverence*, there can be no doubt that our Church has made, in the last ten years, such great and rapid progress, as to afford the best indication of life, and to suggest the best hope of the speedy recovery of other collateral tempers. And, this being so, we may well bear with any such occasional signs of crotchettiness, or pedantry, or prejudice, as are sure to accompany the earlier steps of any vast movement; and which are often indeed to be hailed as the evidences of a sincerity of purpose, incomparably more important, and more commendable on the one side, than any faults in judgment can be fit matter of reproach, or reasonable ground of despondency, on the other.

We make no apology for these latter observations, digressive though they may appear; being fully satisfied that the thoughtful reader will recognize their connexion with the general subject, in reference to which we have here collected evidence of certain prevalent improprieties and inconsistencies; no otherwise, we repeat, fit topics of *our* censure, than as they bear upon that general subject, and as that subject itself is one of no frivolous character and no ephemeral importance.

ART. VIII.—*A Letter to the Rev. the Vice-Chancellor of the University of Oxford, and the learned Doctors who assisted him on a late occasion, from Torquemada the Younger.* London: Rivingtons.

2. *The Plea of the Six Doctors Examined.* Baxter, Oxford.
3. *Various Letters and Papers.*
4. *Record, Standard, Morning Herald, Oxford Chronicle, and Herald, &c.*

IT is no little relief to us, deeply as we regret the reason of the delay, that the publication of Dr. Pusey's Sermon has been deferred beyond the hour when we are obliged to send the following pages to the press. We are thereby saved the necessity of introducing any distinct reference to the awful argument of the sermon; and may speak of it externally, as only a sermon preached and written, whatever the subject might happen to be. To none of our readers would it give greater pain than to Dr. Pusey himself, to see his subject treated in the same context with the painfully harassing questions which have been absolutely forced upon us by existing circumstances. We cannot help ourselves, and if we give pain, and even needless pain, some of the blame must rest on the necessity and the urgency of our position.

We assure our readers that we share the pain of the most peaceful, the most sensitive and the most charitable of them, when we find ourselves compelled to relate and to expose the very extraordinary proceedings of which this sermon has been made the occasion;—proceedings which in themselves, and without any imputation as to the motives of the actors, we must pronounce absolutely without precedent in this or any other civilized country, except under some temporary interruption of law and public morality;—nothing less than an attempt to pronounce a legal censure of the sermon, without the forms and securities of law; and to inflict a judicial punishment on the preacher without that universal preliminary of judgment, a trial. Individuals whose rank and character alike constituted them guardians of law, and order and justice, and whose word it was the duty of the public to take without demur, if the thing said or done was not extravagantly contrary to sense and propriety, have attempted to impose, as on the public, so also on their own minds, a pretended trial and a pretended censure.

And here we must ask an indulgence, which the candid reader will be sure to allow us throughout the following pages. It is clear to us as the light of day that a monstrous illegality, and therefore a monstrous wrong, has been perpetrated: and it is not

in human nature to speak of such things without now and then seeming to attach the quality of the deed to the doer. Such, however, is very far from our deliberate intention. We are bound by the rules of Christian charity to suppose that when persons hitherto not breakers of the law, have in one instance broken it ever so outrageously, they are rather in some strange delusion than in wilful sin. We are ready to adopt, in the present instance, the theory of ignorance and self-deception, rather than knowledge and fraudulent design, and to suppose the actors so carried away out of themselves as not to be guilty, only because they have lost a portion of their responsibility. They have felt, as strongly as men could feel, perhaps, that there existed a great and most dangerous error, an actual and a spreading rebellion in the Church; that something must be done—an object was before them; that all the sounder part of the country looked to them to do it: that a great responsibility, at least to do something, rested on them; with whatever *judgment*, they must *act*; and emergencies will excuse, at least, a little roughness and abruptness, if that is all. They have thus been worked up to a state unfavourable for the perilous task of carrying out the law, where the mode of carrying it out was not a matter of continual living use, and so an ingrained habit of justice. They have had a task before them more difficult, considerably, than legislation *de novo*, viz. the revival of obsolete legislation. It is, then, no wonder that their own strong convictions as to the erroneousness and evil of that which they had to deal with have carried them with too great impetuosity over dangerous ground, and they have fallen—to their own hurt, more than the eventual hurt of others. They have entered on judgment as partisans, and have come out partisans still, not judges. They have allowed themselves—the man—to preponderate in a work which requires, above all other works, forgetfulness of self and private opinion. All this, we are glad to think, as a resource from more painful suppositions. We should hope that the suppositions we refer to are, in the present state of academic morality, impossible. But our readers must also remember that indignation is not a very discriminating quality. If delicate lines are hard to be observed in deliberate doing, much more are they in hasty talking and writing. They who either personally or in the sympathies of heart and mind have suffered what they feel an actual wrong, can scarcely help sometimes speaking of it as an intentional one: and the defence against actual injustice is apt to view in an uniform light of injustice the act and the actors. If expressions of this sort are found in the following pages, we must intreat that they be construed by the present apology.

The abovementioned sermon was preached by Dr. Pusey on the

fourth Sunday after Easter, in his turn as canon of Christ Church, and according to the usage of the University in that cathedral. As usual, when Dr. Pusey preaches, there was an immense congregation, who listened throughout a very long discourse with that degree of attention which none can know who have not heard this singularly awful and impressive preacher. The sermon was not supposed by any of Dr. Pusey's friends to be what is called a strong one, or likely to offend people of different views. This is the more remarkable, because it was well known in the University at large that somebody was to be attacked as soon as a fair opportunity offered. One of the preachers of the previous Sunday's sermons had been complained of to the Vice-Chancellor, who sent for his sermon, though nothing came of it eventually. Rumour had pointed out different persons as the objects of the intended onslaught, but Dr. Pusey was believed to be perfectly safe; and to this day it is a wonder to many that he was singled out, though to ourselves it is not so very unaccountable. Notwithstanding, however, the sermon was thought by most of the hearers to be perfectly safe and moderate, there was one part of it which some people thought at the time likely to cause offence, or at least uneasiness. We may as well honestly avow that we rather question the propriety or expediency of this part. We say this with all diffidence, both from unwillingness to criticize words uttered by such a person on such an occasion, when in themselves undoubtedly good and true, and also as not knowing and not being able to enter into all the circumstances of the case; for we know that is oftentimes right and wise before God which can never be shown to be right and wise to the judgment of man. Towards the end of the sermon the preacher, lowering his voice to a pitch which we believe he considered inaudible to the mass of the congregation, solemnly addressed the canons of Christ Church and the other doctors sitting within a few feet of him, just under the opposite pillar, on the duty of weekly communion, with a pointed allusion to the neglect of it in that cathedral. The words were heard by all, as indeed the merest whisper would have been that moment from one end of the cathedral to the other. They were felt to be likely to distress and annoy; indeed it is generally reported that visible signs of uneasiness escaped from some of the persons particularly concerned in this admonition, so much so, that the part where they sat obtained the name of "the anxious benches." With this exception, the sermon was considered by the University at large not at all likely to give particular offence. It was described as moderate by moderate persons, or Anglican by Anglicans, and that in all simplicity, without any suspicion of what was coming. That many of the hearers might

conscientiously think it erroneous, and contrary to their view of the spirit of the Church of England, is of course fully admitted; we only mean that people in general considered the sermon fully within that latitude which the mixed character of our formularies and the prescriptive indulgence of our Church wisely allow.

It was therefore with no little surprise that the University heard that the Vice-Chancellor had sent for the sermon. This, it appears, he did not from his own objection, though on his own objection he might have done so, but on the complaint of Dr. Faussett, Margaret Professor of Divinity, and through the operation of a recent act of parliament lately become canon of Christ Church. The Vice-Chancellor had no alternative but to send for the sermon on such a complaint being made; so at least we read the statute, which seems to make it as compulsory on him to send for the sermon, if any one adduces rational grounds of complaint, as on the preacher to deliver it up. Dr. Pusey, taken by surprise, and then, as for some time past, unable to see his friends through severe illness, asked two days to affix references to the manuscript, with the intention of saving all parties unnecessary trouble and delay. After the two days he sent the manuscript to the Vice-Chancellor; and not doubting but that all would be done according to law and usage, whatever it might be, quietly awaited the result. The University very soon heard, if indeed they did not hear almost simultaneously with the news of the first summons to deliver, that the Vice-Chancellor had appointed five doctors to assist him in trying the sermon, in addition to the complainant himself, Dr. Faussett, who, as Margaret Professor, is *ex officio* assistant for this purpose, Dr. Hampden, the Regius Professor, being excluded by the special statute of censure passed soon after his appointment, seven years since. The five assessors nominated *pro hac vice* by the Vice-Chancellor were Dr. Jenkins, Master of Balliol, Dr. Hawkins, Provost of Oriel, Dr. Symons, Warden of Wadham, Dr. Jelf, Canon of Christ Church, and Dr. Ogilvie, Regius Professor of Pastoral Theology.

The statute under which the Vice-Chancellor demanded the sermon, and nominated the six assessors or advisers, is one which we believe cannot be proved ever to have been acted upon. There is no instance within the memory of man, or on record, which goes enough into particulars to make it certain that this statute was the one used. When, however, we consider the office and general powers of the Vice-Chancellor, the nature of the court, and the principles of ecclesiastical law, we think it likely the Vice-Chancellor might demand a suspected sermon, even if this statute had never existed. The statute, which had become as little remembered as used, was brought into notice seven years ago, when a

vast majority of the members of Convocation were urging the authorities to choose some statutable mode of censuring Dr. Hampden. This statute was then thought of, among other modes, but was considered by many as the best—the mode best adapted to meet the difficulties of the case, and secure a clear intelligible censure on Dr. Hampden's principles. However, the authorities, for reasons of their own, declined acting on the existing laws of the university, and originated instead the well-known "Hampden Statute," in which, by the way, the statute now under consideration is expressly recognized.

Now every body in Oxford knows that there is a Vice-Chancellor's court, in which disputed causes are tried; but as to the operations of that court, its forms and usages, and its law, not one in twenty knows any thing about them, having heretofore, at least, nothing to do with them. Not one clergyman in fifty knows anything about the actual working, or the law, of a Bishop's Court, or the Court of Arches; at least people are always exceedingly surprised and bewildered when they do happen to come in contact with them. It is just the same at Oxford. There is a court,—a court with a very various temporal and spiritual jurisdiction,—as the nature of the case requires; but that is all that people know about it. The Book of Statutes indeed contains a whole chapter on the subject, laying down the jurisdiction, the constitution, and the forms of the court; officers, court days; rules for the regulation of the proctors and their pleadings; &c. &c. But that book, though a copy is given to every member of the University on his matriculation, is very little known; it is surveyed by the young matriculate with pious wonder, then by the freshmen with profane curiosity, and lastly by the graduate with a feeling very near akin to contempt, simply because he knows little more of it than that it relates to certain officials, and there are to be found in it some curious relics of antiquity. The Vice-Chancellor is looked upon as the visible head of the University, as the president both of the public assemblies and of certain private meetings of a deliberative character, and also as an academic magistrate, with quiet and summary powers suited to the nature of the little emergencies which ruffle the every-day course of an academic body. But he is never looked upon in connection with his court. He is known not to sit there, and there are people who have resided long in the University without hearing that he has even the power of sitting there; as nothing is ever seen in that court but an official deputy, whose usual occupation it is to administer justice between town and gown, over trusting tradesmen and over spending under-graduates; and occasionally to discommon tradesmen and other non-academic persons for

helping under-graduates in breaches of discipline. It is not wonderful therefore that people generally were rather at fault as to the nature of the proceedings promised in the announcement that Dr. Pusey was to be tried by the Vice-Chancellor and "six doctors."

The Vice-Chancellor's Court, we may as well explain in this place, is in fact a Court Christian, with the same spiritual jurisdiction as any of the Diocesan Courts, and that by special grant from various Popes, chiefly by the Bull of Pope Boniface, A. D. 1301, confirming all Royal Charters granted to the University, and exempting it from the authority of archbishops and bishops, and all ordinary jurisdiction. It is as the official of a Court Christian that the Vice-Chancellor has authority in spiritual causes; not as a sort of educational police magistrate, a mere *judex pedaneus*, as some appear to imagine.

The two Universities may be considered, in an ecclesiastical point of view, as belonging to the class of those exempt jurisdictions now about to be destroyed, if not already destroyed, by act of parliament. They are peculiars under the courts of their respective Vice-Chancellors. Of course we are speaking of the Universities. The colleges are another question. At first, in the natural order of things, and, as we know in matter of fact, the Universities were under their diocesans. Oxford was in the diocese of Lincoln, and frequently visited by the bishop of that see; with an appeal to Canterbury. In course of time the Popes gained great influence at Oxford, to which we will confine ourselves, through the vast numbers of students entering monastic orders, and the foundation of religious houses in Oxford; and also from the frequency of appeals to Rome. There were also appeals to the English crown, but the crown seems to have thought that the most feasible way of opposing the pretensions of Rome, was not to assert its own, but to favor those of the archbishop. There are examples of the crown having decided on appeals against itself. However, the Chancellor of Oxford had a separate jurisdiction granted to him, similar to that granted to religious houses, to the exclusion of episcopal authority. At the Reformation, that separate jurisdiction was left as it was, precisely as through mere carelessness or indifference those other exempt and peculiar jurisdictions were left, after the dissolution of the religious houses, and were transmitted to the individuals, lay or clerical, who became possessed of the monastic property. The only difference made at the Reformation was of course that the *final appeal*, in the University Statutes, was changed from the Roman see to the English crown.

Such is the origin of that peculiar ecclesiastical jurisdiction

possessed by the Vice-Chancellor. It is no authority *sui generis*. It is no nondescript. It is not a curiosity dug out of the earth, or dropt from heaven, like unto nothing that man ever beheld in other time or place; it is not a thing on which one man may have one opinion and another another without fear of confutation; no, it is simply part and parcel of the authority of the Church catholic, of the same kind as the rest, and under the same law, having the same doctrinal origin and the same legal organization. It does not matter to our present purpose whether we look on it as granted directly by the pope, or by archbishop, or king. Land is land, still whoever gives it; and jurisdiction in matters of faith is also the same among all Catholics, under whatever historical accidents it may have come to its present shape. The differences between ecclesiastical jurisdiction in England and in Rome undoubtedly are great, but they are accidental: here the final appeal is to the king, there to the Pope; here the rule is the doctrine and discipline of the united Church of England and Ireland, there it is the Decrees and Canons of the Church Catholic; here the controuling and correcting legislature is Parliament, there a General Council; these differences are of a distinct assignable character; and excepting in these and such differences, ecclesiastical jurisdiction is substantially the same thing throughout Christendom. Its law is substantially the same everywhere, viz. the ecclesiastical, i. e. the civil and the canon law. This prevails, this must be presumed, unless some act, or statute, or peculiar prescription, or precedent can be proved against it. By it all that is doubted must be decided; by it all that is wanting must be supplied. Though church authority were broken into fragments ever so small, and existed in ever so strange a disguise,—though it were administered by the official of the pettiest lay ordinary of the most miserable little peculiar jurisdiction in England, still it is the civil and canon law that he must go by, for his authority is nothing but a remote and casual and irregular delegation of the authority committed by Christ to his Church, and his jurisdiction is a part of the Church's jurisdiction, and so his law must be the Church's law.

Thus in a spiritual question, the Vice-Chancellor of Oxford, or his Deputy, is in exactly the same situation as the Dean of Arches, or the official of any other ecclesiastical court. The former has to be sure certain statutes for his peculiar guidance, in like manner as the Diocesan Courts are now remodelled by a recent act of parliament, but this does not interfere with the use of ecclesiastical law. It is not to be supposed that because there are certain statutes applicable to the peculiar character of the body over whom the jurisdiction extends, that therefore those

statutes, as far as they relate to spiritual questions, are things absolutely independent of ecclesiastical law, having no affinity with it, and incapable of interpretation and completion by it.

From this account of the spiritual jurisdiction of the Vice-Chancellor, we return to the particular instance in which it was now to be exercised. The sermon we left just delivered into the hands of the Vice-Chancellor.

By and bye rumour proclaimed that the Vice-Chancellor and his six doctors were sitting, and the court was opened, that is, shut. It was we believe not many days after the preaching of the sermon, that the six doctors began their work. The interest of the public was of course aroused. A mysterious tribunal had been revived from an absolutely unknown antiquity,—fished up from the deep of ages, and every body wished to know how it was to work, or rather how it was already working; for it had begun without any visible manifestation. There are many records of trial for heresy. There have been many in Oxford; and the Parker Society, and Foxe Society, and Religious Tract Society, and a hundred other amiable *μνησίκατοι* are taking good care that people shall have stores of precedents, in case heresy should again become the subject of judicial investigation. But apparently what was going on at Oxford was something quite different from what we read of in the volumes we refer to; for it could be neither seen nor heard; and it was only through the chinks and crannies of gossip that it permeated into the public mind that a court was actually sitting, a trial was actually going on. This might be all right; we are accustomed to underground processes in this age; and think a mile through the heart of a mountain a better road a good deal than one which climbs up Highgate-hill, or follows the banks of the Wye. So people said little but wondered, and made mutual inquiries, which were generally fruitless. It seemed the old exhibition, if it might be so called, of the "Invisible girl." Only this was inaudible besides, and moreover would neither see nor hear. So people were at a loss to know what it was. The faith of the University was required to believe the existence somewhere of a certain invisible court, consisting of seven invisible judges, like what Dr. Hook humorously calls invisible Christians. The place, the time, the how, the whence, and the whither of the "six doctors," were all matters of unavailing research. So, for lack of any help towards contemplating the body collectively, people took to examining them individually, and counted votes: and as soon as they came to the "one, two, three, four, five, six," part of the business, then a general feeling pervaded the hearts of men that it was an uncommonly bad look out for poor Dr. Pusey.

Meantime Dr. Pusey himself, having no longer his sermon with the references to occupy his thoughts, began to feel uneasy at the aspect of affairs;—we should say at the want of aspect; for there was nothing to be seen. His sermon being obtained his company was not wanted. He saw nothing, heard nothing, was told nothing, knew nothing, *i. e.*, officially, for he was told only through private channels, just as any body else might be told, who were to be his judges. His situation was trying. An awful inquiry,—himself the subject,—the proofs out of his hands,—his name and position in the University the thing at stake, but all unseen and unheard. Doubt is tearing and wearing at all times, but especially when we are compelled to inactivity; more than all when we cannot see the progress of affairs. It is like expecting a midnight attack, or worse still, like biding the progress of some invisible, mysterious disorder, out of the reach of science or art of man, and which cannot even be watched, for its very symptoms only show its existence, not its progress. Dr. Pusey's situation was really, we think, almost the most anxious and embarrassing we have ever heard of. A great affair was going on, in which he was the chief person concerned, yet had nothing to do with it. It was as if he had fallen into a trance, so that all semblance of life had departed; and then, with his faculties all alive, had been carried forth to burial, seeing his horrid fate before him, yet absolutely unable to interfere. He was treated as a mere dead body,—a log—"What shall we do with him?" It was in fact a post mortem examination. People, without thinking how much truth there was in the expression, called it an inquest, as if the person was necessarily dead the moment he was delivered to the "board of doctors," and was at least treated as one dead. And we beg to say there is no man, be he of the stoutest nerve and frame, who would not feel uneasy under the burden of six doctors of divinity sitting upon him, and that in the dark.

After about three or four days a rumour spread that the six doctors had come to a conclusion, and their part of the business was dispatched. Nothing came of the rumour, and to this day we do not know what was its foundation. However, it was asserted on good authority and believed; so much so, that when no sign followed, and no sentence was announced, another rumour rose up, and was confidently sent up from Oxford to London, and spread through all the kingdom, that Dr. Pusey had been acquitted. It was said that the "six doctors" could not agree, and so had parted; or had found the sermon not quite to their taste indeed, but not affording any tangible grounds of condemnation. This rumour, however, was soon after contradicted. Now

a word on these same rumours. We dare say that people in the secret were a good deal amused at them, and felt a vast superiority to "the still discordant wavering multitude." This is a pleasure very allowable in the case of any high deliberative body, whose designs are the subject of a people's prognostications. It is allowable also in the case of military chiefs, who must conceal their plans till the moment of execution, at the risk of being anticipated. They may and must be amused occasionally to hear Rumour

"Speak of peace, while covert enmity,
Under the smile of safety, wounds the world."

But in judicial affairs surely there can be no place for uncertain rumours. There may be "wars, and rumours of wars," but we never yet heard of verdicts and judgments rumoured to have been delivered; the rumours going on for days and days after the rumoured date of the judgment, and all uncontradicted, and with nothing but rumours on the other side to contradict them, and all in the immediate vicinity; if indeed a trial which had no *place* could be said to have a vicinity. It was like the comet of the season, a tail without a nucleus. The venue of the cause was laid in infinity, and Dr. Pusey had to hunt for the face of his accuser through space, with nothing but rumours to guide him.

However, at last one rumour ripened into an absolute universal internal conviction, though still not known as a matter of fact; and that was, that the six doctors had condemned the sermon. It was certain that a verdict had been given, though not in place or time;—a substantial verdict, of which, however, nothing could be predicated. It was also said that the Vice-Chancellor, having his artillery thus properly loaded and primed and pointed, was considering with his six doctors, first, whether he could do his work without the dangerous process of an actual discharge; secondly, how, supposing that step unavoidable, he could discharge with the greatest certainty of success, and freedom from personal consequences; for the recoil of such a weapon was dangerous, and it might burst in the firing. How long this stage of the affair lasted we cannot say, for nobody knows when it began, and it is not within the compass of human science to ascertain the relations of a given point to one not given, without any assistant data: but at last on Friday after the Saturday, which rumour had fixed upon as the day when the doctors had made up their minds, it became known, on the authority of Dr. Pusey himself, that his sermon had been condemned, and he himself suspended for two years. After a fortnight of this profound mystery, nobody knowing anything at all, only that there was a mystery, the verdict and sentence were communicated to the public second-hand by

the prisoner at the bar. To this hour the verdict itself has neither been heard or seen by mortal man. From beginning to end we never knew an affair, i.e. a human affair, a sublunary affair, of so transcendental a character. It is like one of those old school exercises, in which dramas were constructed out of the relations of metaphysical abstractions, *ens* being the hero of the plot, and accidents, qualities, &c. the subordinate personages. Only in this case the difference is so important as almost to destroy the similarity; for instead of the last act closing with all the dramatis personæ on the stage, in happy re-union, in this case *ens* remains on the stage alone in his glory, and informs the multitude (we cannot say either audience or spectators, for nothing is either heard or seen) that he has put to death all the other characters. But, as it were, remembering suddenly that locality still survives, he rushes from the stage, and hides himself nobody knows where; in which crisis of things, or rather want of crisis in nothingness, as there exists no means of continuing or reproducing the story, the curtain necessarily drops, and the assembly is left to speculate on the transitory character of human affairs. There is one aggravation of error of which the Vice-Chancellor and his doctors have certainly not been guilty. Their worst enemies and calumniators cannot accuse them of lying with *circumstance*.

On Dr. Pusey's authority, of course it could not be doubted that he had been actually suspended; still even then people were slow to realize the fact, because the sentence was not philosophically a fact yet; it was only a fact that Dr. Pusey had said he had been suspended. So all that day people were looking about impatiently for the fact itself. They went to the doors of the college halls, to the common rooms, to the doors of the Schools, and all the public places where university notices of all kinds are posted; they could find nothing new; there was a notice that some livery-stable-keeper had been suspended from university communications for letting a tandem, or some such offence, but no Dr. Pusey. The divinity beadle was seen going about, but it was only the announcement of the next Sunday's preachers. There was not, nor is there to this day that we know of, anything to show.

The first public document which recognized the alleged suspension, was Dr. Pusey's own protest; which he circulated immediately, and which was as follows:

" PROTEST.

" Mr. Vice-Chancellor,—You will be assured that the following Protest, which I feel it my duty to the Church to deliver, is written with entire respect for your office, and without any imputation upon yourself individually.

" I have stated to you, on different occasions, as opportunity offered,

that I was at a loss to conceive what in my sermon could be construed into discordance with the Formularies of our Church; I have requested you to adopt that alternative in the Statutes, which allows the accused a hearing; I have again and again requested that definite propositions, which were thought to be at variance with our Formularies, should, according to the alternative in the Statute, be proposed to me; I have declared repeatedly my entire assent ex animo to all the doctrinal statements of our Church on this subject, and have, as far as I had opportunity, declared my sincere and entire consent to them individually; I have ground to think that, as no propositions out of my sermon have been exhibited to me as at variance with the doctrine of our Church, so neither can they, but that I have been condemned either on a mistaken construction of my words, founded upon the doctrinal opinions of my judges, or on grounds distinct from the formularies of our Church.

"Under these circumstances, since the Statute manifestly contemplates certain grave and definite instances of contrariety or discordance from the Formularies of our Church, I feel it my duty to protest against the late sentence against me as unstatutable as well as unjust.

"I remain, Mr. Vice-Chancellor, your humble servant,

"*Christ Church, June 2, 1843.*"

"E. B. PUSEY."

A few days afterwards Dr. Pusey published the following explanation or supplement to the above:

"Mr. Vice-Chancellor,—When I drew up my Protest, I felt myself bound not to allude to the fact, that, after it was announced to me that my sermon had been condemned, I received confidential communications from yourself. I had been informed, when I received them, that the fact of my having received them, as well as their contents, was strictly confidential, and this injunction to entire silence had not been removed. I felt it therefore even my duty to ascertain that there was in my Protest nothing which could trench upon that confidence.

"I expressed to yourself privately, at the time, my sense of the kindness of *your* intentions personally, in making to me the first of those communications; and of this I was thinking, when, in my Protest, I spoke of not casting 'any imputation upon yourself individually.'

"To the nature of those communications I can make no allusion, since you saw right to impose silence upon me. It is sufficient to say, that after they were concluded, I received a message from yourself, '*Dr. Pusey has my full authority for saying that he has had no hearing.*' It ever was, and is, my full conviction, that had I had the hearing, which (for the sake of the University and the Church) I earnestly asked for, I must have been acquitted.

"These communications, then, in no way affect my Protest. I add this explanation, because, while I retain my strong conviction that my sentence was both 'unstatutable and unjust,' it is right, since I am now at liberty so to do, to acknowledge the kindness of your own intentions to me individually. I remain, Mr. Vice-Chancellor,

"Your humble servant,

"*Christ Church,*

June 6, 1843."

"E. B. PUSEY."

So to the very last we find ourselves haunted by the original absurdity of the whole affair. Dr. Pusey we said was the only oral witness on the face of the earth to the alleged fact of his suspension, and his protest the only written and public evidence. It now appears that he, the same person and at the same time, stoutly denies that the alleged fact is a fact. He says that the sentence is unstatutable, and therefore no sentence at all; and, in fact, that he has not been suspended. Why, if Dr. Pusey, instead of proclaiming his suspension and protesting against it, had done neither, and said nothing at all, it appears that nobody would have known anything about it. Its non-appearance alone would have made it a non-entity; for *de non apparentibus et non existentibus eadem est lex*. We know of course what will be said. "Oh, but the Vice-Chancellor and the six doctors would have told people of it, and did tell people of it? Where and how? we beg to ask. In the news-room? In dinner-parties? "In society?" One thing we say seriously, viz. that if Dr. Pusey had held his tongue, the Vice-Chancellor and his doctors would have been exceedingly puzzled what to do next. They would have done something which they have not thought necessary to do, as it is; and it would have been at least a post or two before that something was decided upon. The total absence of documentary evidence in this affair is a most extraordinary, and, to our mind, a most significant circumstance. There is always a little wisdom to be seen in the greatest infatuations; and the monomania under which these seven gentlemen laboured does not seem to have precluded sagacity enough to discern that it was better to keep clear, if possible, of black and white.

As Dr. Pusey is the only witness to the "sentence," so is he also the only person from whom anything can be learned as to the "trial." Our readers will be anxious to hear what we have to tell on this point, but we regret our inability to satisfy public curiosity. We can only speak from the published protests, and from reports of what Dr. Pusey has said, which reports may possibly state things, as on his authority, which he has not said, and which if true have transpired through other channels.

In the first place, it is quite certain that Dr. Pusey had no hearing. He was not allowed to appear, to meet objections, to remove misapprehensions, to explain his meaning; and use the power which an accused person has in every court of justice, of securing that the investigation is conducted on right and legal principles. On this point we shall speak more at length, and will only say now, that if this sentence were ever brought into one of the courts of Westminster, coupled with the admission that Dr. Pusey had never been summoned into court, or allowed a

hearing when he asked for it, the judge there would treat the sentence exactly as a little Neapolitan boy treated a very minute coin of his country which an Englishman gave to stop his importunity: the rogue gravely put the bit of foil on the palm of his hand, and puffed it into the air; after which he waggishly looked the donor in the face, as if to ask what had become of it. Lord Lyndhurst would probably not use quite so much ἐνεργεια, but his words and the legal results would amount to the same thing.

But now we come to the most extraordinary, and we think the most questionable, part of the affair. The court, it seems, did communicate with Dr. Pusey. So a crowd of people, and the *Standard* newspaper among them, cry out that Dr. Pusey had a hearing, *i. e.* to all intents and purposes, and one that he had every right to be quite satisfied with. These boasted communications were, we *believe*, as follows.—We must again remind the reader that we speak from rumour, and commit nobody. If we are substantially wrong, let somebody set us right, and these pages shall record the correction.—When the “trial” was quite over, and the Vice-Chancellor had a condemnation in his pocket, then he sent Dr. Jelf to Dr. Pusey, with instructions not to say a syllable to Dr. Pusey till he had bound him, on his word of honour as a gentleman, to two things: 1. Not to advise with any one of his friends on the communications of which Dr. Jelf should be the channel! 2. To observe for ever an absolute secrecy as to those communications! Hear this, lawyers! Hear this, gentlemen! Hear this, Christians! A judge with a sentence in his pocket parleying with the prisoner under promise of secrecy! It really is not pleasant to us to tell such a thing, and we shall be truly happy to be contradicted. But if we are not rightly informed, surely they are to blame who thought fit to conduct a trial of such unspeakable public and universal interest, with the same domestic privacy that they would the case of a silly undergraduate caught in a tandem.

Now it is most unaccountable that these seven gentlemen should decline to encounter Dr. Pusey, seven to one; and yet communicate with him through one of their number; and that, when their minds were made up; when also their own interest in such an interview remained the same, but ninety-nine hundreds of Dr. Pusey’s interest—nay, all his interest in it—was gone. The sermon once condemned, the only object of such an interview would be to persuade Dr. Pusey to recant, and that by mere force of terror. What good and fair purpose would be answered by such communications, which would not have been infinitely better answered first by an interview, then by written notes. Are judges to fear the presence of the accused? Are they afraid of

being tried in their turn! Turn over the pages of Collier or Foxe, and you will find a hundred cases of trials for heresy, some reported at great length, in which men whose stake in such a controversy was quite as great as Dr. Wynter's, and who had characters to lose as much as any of the six doctors,—kings, archbishops, and judges of every rank,—who did not shrink from public arguments on points of faith, and whose arguments then and there delivered are now approved or condemned by posterity. Dr. Pusey could have no interest whatever in such a mode of communication as that adopted; while at the same time his *risk*—the ill consequences that might arise—were vastly increased. Why, mark the result of this secret irresponsible mode of communication adopted. Dr. Pusey says, "I have not had a hearing." The friends of the six doctors reply, "Yes, you had, to all intents and purposes. You had the opportunity of saying what you liked and explaining what you liked to Dr. Jelf." Again, Dr. Pusey complains, that, notwithstanding his repeated prayers, "no *definite propositions* which were thought to be at variance with our Formularies" were "presented to him," though the statute suggested such a course, and such, we will add, has been the uniform precedent. The friends of the six doctors reply, "Yes, Dr. Jelf conveyed a statement of the objectionable passages in your sermon, and told you what was objected to them." Dr. Pusey protests against the legality of the sentence; and the six doctors exclaim, "You surprise us; why didn't you tell us what you were going to do?" And so on. The six doctors can meet in this way every complaint of Dr. Pusey, and he cannot defend himself; first, because he has no witness; secondly, because he is under a promise of secrecy as to what exactly did pass between him and Dr. Jelf. To make the matter worse, it is contrived to assume an appearance of kindness. "Dr. Jelf is your particular friend; his selection for the purpose of negotiating between us shows our kindness and delicacy."

Let us look into this a little closer. Who is Dr. Jelf? He was Dr. Pusey's schoolfellow at Eton, with him student of Christ Church, with him elected fellow of Oriel, and, by a very remarkable coincidence of destiny, is now with him canon of Christ Church. They were in youth intimate friends, and are so now. If any choose, and perhaps people will choose, to quote our words thus far, they will adduce us as confessing that one member at least of the "Board" was not chosen unfairly for Dr. Pusey. We have given the parallelism; now for the difference. While Dr. Jelf, for about fifteen years, was totally cut off from Oxford by his appointment as tutor to the present crown prince of Hanover, Dr. Pusey was year after year growing and coming out in his pre-

sent theological character. When Dr. Jelf returned to Oxford two or three years ago, he returned with much the same views as he left eighteen years since, and with a very evident dislike of the extremes to which he considered things tending; classing, among these extremes, we do not doubt, such views as those which mark Dr. Pusey's sermon. Two years since, Mr. Newman addressed a Letter to him on a well-known occasion, as an acquaintance whose life and character had led him out of the controversies of the day. Dr. Jelf's sympathies have not since expanded in the direction of the views expressed in that Letter. Last year he published his well-known *Via Media* between the two extremes *within* the Church of England. If that sermon had been written in 1825, when Dr. Jelf left Oxford, and when what are called low Church views were fast increasing in Oxford—when scores were going off to actual dissent on all sides, fellow-students, friends, brothers—then nobody would have doubted that the unsoundness and danger of "low church" views occupied the first place in the writer's mind. But written as it was last year, when there were scarcely ten "low churchmen" under the age of thirty-five in the whole University of Oxford—when the fact of Oxford men having once gone off to dissent had become an obscure tradition, and the great panic of the day was "Pusey, Newman, and Rome," the only *practical* purpose of the sermon was to warn people against "Pusey, Newman, and Rome." A *via media* truly—between a wall five foot high and a precipice five hundred feet deep! Don't go too near the wall, perhaps you'll tumble over it: don't go too near the precipice, a single slip and down you go. There was no imaginable danger of dissent in Oxford last year, or of the spread of low church views; so the sermon was undoubtedly a move against "Pusey, Newman, and Rome." Another circumstance speaks to us very strongly of Dr. Jelf's views. We will not entertain a doubt that he heartily dislikes Dr. Hampden's theology; and from the soundness of the school in which his own views were formed, and his experience abroad of the character of German rationalism, he must think it a great evil that any approach to rationalism should exist and be countenanced in Oxford. Yet he fears another danger more. Last year he declined to vote against repealing the well-known "Hampden Statute;" we cannot doubt, because he considered that in doing so he should be giving help to "Pusey, Newman, and Rome."

So here is Dr. Jelf, a warm personal friend, but still warmer theological opponent; attached to Dr. Pusey, but thinking him in grievous error, and doing a world of mischief. Unable to ascend to Dr. Pusey, but most anxious to bring him down to himself.

We appeal to all persons of sense and candour: is it possible to imagine a negociator more likely, even in spite of himself, to entangle, to embarrass, to confuse, to mislead, to misrepresent, to commit—to do every possible harm to Dr. Pusey? Really, if people can't see this, it is no use trying to prove it to them. The moment Dr. Jelf had opened his commission from the Vice-Chancellor, Dr. Pusey ought to have said, "My dear Jelf, as you love me, do pray go away, and don't let me see your face again, unless I see you all together." But Dr. Pusey never did and never will say so rough a thing, and that people know very well.

The act of binding Dr. Pusey to secrecy and to exclusion from his friends was most gratuitous and most cruel. "The Vice-Chancellor will suspend you at once unless you promise to consult nobody." Hear it Englishmen, if you are Englishmen still, and if party spirit has not turned backward the very course of your blood in your veins, and chilled your generous sympathies. At the time Dr. Pusey was thus, in an hour of the greatest distress and anxiety, banned from his friends and advisers, he was most seriously ill—so ill that it was a piece of imprudence to be out of bed. For a fortnight before he preached the sermon, he was confined to his room with an intermittent fever; it was against medical advice that he wrote and preached the sermon; he was afterwards, and is we fear to this day, all the worse for that effort; and his complaint is, we believe we may say, of that sort in which the spirits rapidly ebb and flow with the alternations of the animal frame. At such a time Dr. Pusey was put under the greatest of penalties not to communicate in the way of counsel with his friends, or even tell them the things uppermost in his own mind. What was the reason of this most cruel precaution?

If there is any crisis in the vicissitudes of fortune, when a man wants the comfort and the counsel of friends, it is when he is pleading at the bar of justice for his life, or his name, or whatever else he holds dear. Law, in any form, whatever matter it embraces, is terrible to all men; it is the voice of all mankind, and expresses with a still small voice, more awful than the shout of millions, the resolutions of universal justice. Who will not quail before such a majesty, as if he heard the voice of God,—for it is the voice of God,—who will not seek to hide himself in such a presence? Who is not ready to despair before this highest human omnipotence? this earthly king of kings, and lord of lords? The most innocent man feels his inadequacy; for he knows that the law is wise, and learned, and prudent, far above his limited sphere and powers. He sees in the human tribunal a type and an earnest of the great judgment seat, he is over-

powered by the secret sense of unworthiness, and is ready to exclaim—

“ Quid sum miser tunc dicturus ?
 Quem patronum rogaturus ?
 Cum vix justus sit securus.”

He stands one against all men, and craves for succour. And if in all earthly justice there is more or less alloy of human passions, and human law is only an imperfect shadow, this thought only adds new terrors of its own; it increases the fear and perplexity of the accused, in such proportion as it may diminish his respect and awe. So insupportable are these terrors, that to assuage them, and to supply a more than human strength, when the heart could not but sink, the mind refuse to perform her functions, and the boldest tongue falter, a special promise of spiritual support was given to the Christian for that day and hour. From these feelings, common to all men, it has always been judged one of the greatest of human barbarities to deny the accused the advice of his friends. Ancient law was even more indulgent in this respect than modern, permitting the advice and consolations of friends during the very trial. It was customary for the accused to have about him, in the sight of the court, all whose presence might in any way whatever be a help to him. The psalm alludes to this in the words, “ They shall not be ashamed when they speak with their enemies in the gate.” It was the greatest of basenesses to desert a friend at such a juncture; “ They all forsook him and fled.” “ At my first answer no man stood with me, but all men forsook me: I pray God that it may not be laid to their charge.” How painfully does the Apostle remember his desertion and distress! The cowardice of friends did this wrong and misery in St. Paul’s case; but it is the timorous precaution of opponents, for we cannot call them judges, that has done it in the present instance. In the height of their extravagant error and usurpation, they could not lay aside their fear of the accused; so they took care that he should be caged or chained before they ventured to parley with him.—*Μὴ αὐτοῖς λογισθεῖν*. Could they not remember that when a Christian is most lonely, then is he in the surest and safest keeping; when he is deprived of human counsel, then is he the best advised? “ Notwithstanding, the Lord stood with me, and strengthened me; that by me the preaching might be fully known, and that all the Gentiles might hear: and I was delivered out of the mouth of the lion. And the Lord shall deliver me from every evil work, and will preserve me unto his heavenly kingdom: to whom be glory for ever and ever. Amen.”

Now nobody would wish that Dr. Pusey should unlearn any portion of his gentleness and simplicity in that long, severe, and painful struggle which is coming on; when many tempers doubtless, as well

as many faiths, will suffer shipwreck. But before we leave the subject of his protests, will he excuse us a word of advice on what we must call their over-gentleness, and want of a proper amount of indignation? He thanks Dr. Wynter for his personal kindness. In our humble opinion there was no occasion to give Dr. Wynter credit for kind intentions, or to recognize his kind expressions. He is of course kind to every body. Dr. Pusey's own published protests show that he is fully and deliberately persuaded of these three things, in all of which, we need not say, we believe him to be entirely right. 1. That Dr. Wynter has not proceeded against him according to statute. 2. That even supposing Dr. Wynter's view of the statute is correct, Dr. Wynter has dealt him the hardest possible measure of justice which the most rigorous interpretation of the letter of the statute would bear, and has pushed law into injury. 3. That the sentence in itself, however arrived at, is unjust, and founded on obstinate misapprehension, as well as doctrinal error. Such being Dr. Pusey's declared view of the Vice-Chancellor's proceedings, we think that he would best have consulted his own dignity, and the cause of truth, by saying nothing about personal kindness. What value can he possibly attach to Dr. Wynter's professions? What are mere outward courtesies which cost nothing, and do no good, when they accompany violence (for illegality is mere violence) and cruelty? Dr. Pusey's grateful expressions are calculated to mislead the public. Thousands will say, "See here, the man himself confesses that he has been kindly treated. Depend upon it, so kind a man as Dr. Wynter would do nothing hard or illegal."

It would be no little benefit also to Dr. Wynter himself to teach him by a little severity of tone the important truth, that mere general kind intentions and common courtesies do not make up the Christian grace of kindness, which like all other habits must learn reality in the school of temptations and difficulties. In the present instance it is clear that real kindness has been sacrificed to certain considerations of convenience; i. e. it has given way under difficulties.

Dr. Pusey having protested, another party, equally interested and equally defrauded of their right, now stepped in, and in their turn received a measure of Dr. Wynter's kindness, but nothing more. The academic body, the university public, now claimed cognizance of the trial, accusation, and verdict. One of their body, whom they loved and revered, whom they delighted to hear and read, and whom they felt to be a great witness in the Church, had been stigmatized and suspended. What for? Nobody could tell them; and to this day nobody can. The offence is somewhere in the course of a very long sermon;—they must ransack their memory for it. Why this is worse than looking for a needle

in a bottle of hay; its like saying, "There's one particular stalk of hay in that bottle which I don't like; look all through the bottle and find it; and then tell me also why I don't like it." What was to be learnt from a punishment without a declared meaning or reason? What error was to be avoided? What portion of Dr. Pusey's theology was under bann? What was there to hinder others falling unwittingly under the displeasure of the "six doctors?" Accordingly a request, a very modest and natural one, as it seems to us, was made to the Vice-Chancellor to the above effect, and signed by a very large majority of what may be called the class of Masters; i. e. excluding Heads of Houses and University officers, and including a few Bachelors of Civil Law.

"Mr. Vice-Chancellor,—We, the undersigned members of Convocation and Bachelors of Civil Law, beg permission respectfully to address you on the subject of the sentence lately pronounced by you on Dr. Pusey, with the request that you will not object to make known to the University the grounds on which that sentence was passed, that we may know what statements of doctrine it is intended to mark as dissonant from or contrary to the doctrine or discipline of the Church of England as publicly received."

To this address the Vice-Chancellor returned the following answer:

"Gentlemen,—Respecting as I do the motives of those who have signed the paper conveyed to me by you, and ready as I am at all times to satisfy the reasonable demands of members of convocation, I regret that I cannot in the present instance comply with their request. It is my plain duty, as Vice-Chancellor, to abide by the statutes of the University, and as these do not prescribe, so I have scarcely a doubt they do not permit, the course which is now suggested to me. For the silence of the statutes on this point satisfactory reasons may be presumed—reasons which are not applicable to me only, but to yourselves individually, and to the University at large.

"I beg to subscribe myself, &c.

"The Rev. H. Wall, C. B. Eden, E. Hill."

"Reasonable demands,"—"plain duty,"—"abide by the statutes,"—"do not prescribe,"—"do not permit,"—"silence of the statutes." Why, what if we granted that Dr. Wynter was obliged to return this answer;—what if we granted that, having given no reason to the offender himself, he could not consistently, or with due regard to form, give one to the public; what then? Surely the original position which justified and compelled such an answer as the above, must have been a very extraordinary and very unjustifiable one! A judge refusing to tell any body on earth the reasons of his sentence! There must have been some fundamental error in the line, which compelled the kind Dr. Wynter to adopt the language of the very cruellest and hardest character

which the imagination of man ever conceived. When we find a man saying almost in as many words, "I am not bound to please thee with my answer,"—"On what compulsion must I? tell me that,"—"I cannot find it, 'tis not in the bond," the idea is irresistibly forced upon us, that there is a "pound of flesh" in the story.

The two following papers, published about the same time as the above, will assist the readers to a knowledge of the state of feeling in the University, and also to the right understanding of the state of the case :

" TO THE REVEREND THE VICE-CHANCELLOR.

"Rev. Sir,—I take the liberty, with feelings of deep respect for yourself and the office which you hold, to address a few words to you on the proceedings which have taken place with regard to Dr. Pusey.

"There is a point connected with them in which *every clergyman* is deeply interested who may be called upon to preach within the precincts of the University. We have no means of discerning *why* the Board of Examiners have condemned the Professor of Hebrew, and therefore, granting for the sake of argument that they are right, no future preacher can use their decision as a beacon, and so avoid the statements which have been prejudicial to him. It has always been understood that the Statute in Tit. XVI. cap. 11, was intended to guard the interests of orthodoxy, and prevent the intrusion of a false teacher into the pulpit of the University, but the method which has been adopted in this case would seem to make a mere *brutum fulmen* of the power. By the recent judgment no one is better instructed than before as to what heterodoxy is or is not, for no principles have been vindicated and none have been condemned. We know merely that a preacher has been accused and suspended, and for anything that we can tell the same doctrine that he has delivered may be delivered again in the same place with an utter unconsciousness on the part of the preacher that he is committing an offence against sound teaching. Surely such was not the intention of those who framed the statute. The very title indeed, "*De materiâ offensionis evitandâ*," proves the reverse, for it would baffle the utmost ingenuity to discover how to avoid offending when it is forbidden to discover in what offence consists.

"I observed that every clergyman within the precincts of the University is deeply interested in this matter, and to each the adage may be applied—*mea res agitur paries cum proximus ardet*—for no one can guard against those who strike in the dark. Independently of this view of the question, which comes home personally to all who may preach hereafter, surely the rules of plain dealing require that publicity should be given to the reasons which have induced the Board to condemn Dr. Pusey. When any censure is inflicted by Convocation, it is the act of a very numerous body. Several hundred persons, for example, acquiesced in the Statute of 1836, regarding the Regius Professor of Divinity. In such a case, the mere extent and variety of the mass from which the suffrages proceed is a guarantee against any accusation of personality. But when the power of irresponsible condemnation is placed in the hands of six

individuals, several of whom are understood to dissent in general from the person whom they are to judge, is it not absolutely requisite that the utmost openness should attend whatever they do, were it only for the sake of maintaining the character of the tribunal? The opinions of the Professor of Divinity were in 1836 specifically detailed in extracts from his writings, printed in italic characters, and circulated all over the country. That gentleman by this means knew well what he had to defend or excuse; and the University wishes no more for Dr. Pusey.

"I would ask very respectfully, sir, and I trust there is no impropriety in my doing so, what reason can the members of the Board themselves allege for silence? Either they have not found a cause for condemnation, or they have found one, yet do not venture to announce it. It is impossible to suppose the former case, for to take advantage of the Statute to condemn a person in whom they discover nothing wrong would be malversation of judgment; and to conclude that the other supposition is correct, would be to impute to them a fear of the consequences to their own reputation, if the public and the Hebrew Professor were once in possession of the reasons of their decision. This appears to be the dilemma in which they are placed by keeping silence, and from which they could at once free themselves by a specific mention of the matters in which they conceive Dr. Pusey to have been guilty of erroneous teaching.

"My apology for presuming to address you must be found in the state of perplexity to which, as one of many clergymen, I find myself reduced by the late proceedings. It is needless to add, that I write entirely at my own suggestion, and for the sake of making an endeavour to be released from the painful feeling of insecurity which this silent condemnation must necessarily superinduce. I remain, Rev. Sir, with much respect,

"Your obliged and faithful Servant,

"*Magdalen College,*
June 5, 1843."

"A BACHELOR OF DIVINITY."

"PRESENT POSITION OF THE SIX DOCTORS."

"It is said that the letter of the Statute does not oblige the judges to *make known* upon what statements in the sermon they ground their decision. Let this be admitted: still it supposes them all along to *have* statements before them upon which they ground their decision; and if they have, why purposely and deliberately withhold them from the University? The mere silence of a formal document is no sufficient reason for neglecting a natural rule of equity and fair-dealing. If the members of the University have a plain right upon common grounds to know why one of their professors is condemned, they do not lose that right because it does not happen to be mentioned in the Statute. The judges must prove more to prove their point; they must shew that the Statute *prevents* them from complying. They must produce a prohibition if they would claim an immunity; if the Statute does not debar them from communicating, it does not release them.

"The six doctors then have at present a plain matter of fact against them:—a person is condemned, a Professor of the University is suspended, and nobody knows why. While this is the case, there is a fault

somewhere, something is wrong, things are not as they should be. The wrong may be capable of being explained, but it is a wrong till it is explained. It may disappear eventually, but in the meantime it is a wrong; whatever the future may make of it, it is a wrong *now*; and so long as it remains, it *ipso facto* reflects upon the judges. They are in this dilemma—either they had *no* definite grounds before them in judging, and acted unstatutably; or they withhold those grounds, and act unfairly. Nor has this dilemma any outlet, it would seem, but a communication of those grounds. The statements, it must be repeated respectfully but earnestly—the obnoxious statements, for which the sermon has been condemned—the preacher suspended—what are they?

“Oxford, June 6, 1843.”

We do not entirely like either of these papers, nor yet the address of the Resident Members. For the sake of argument, and doubtless also from considerations of courtesy, they seem to admit the validity of the sentence, which we do not for one moment. Indeed we have shown above that it is in fact a metaphysical rather than a legal difficulty, and as such *solvitur ambulando*. Let Dr. Pusey take his next university turn, and the sentence will vanish before him. This is the only effectual way of meeting proceedings of this character. Protests and hypothetical admissions are only words, and go for nothing when men are in earnest. The opponent goes on not talking but doing, and very soon you and your protest, and the truth you protested for, are all equally forgotten. But from Oxford we will now pass to London; where kindness and courtesy certainly were not the order of the day.

One would almost have thought that the gentlemen of the metropolitan press would have been a little more men of the world, not to speak of learning, right feeling, or Christianity, than to suppose that in England anybody really could be legally suspended from his rights without a hearing, and without an opportunity of defence. Yet it is wonderful to see how quickly and how pleasurably they swallowed down the “six doctors” delusion. The pretended suspension was scarcely known in Oxford before a shout of triumph arose in London. *The Record*, the *Standard*, the *Globe*, the *Church and State Gazette*, the *Morning Herald*, &c. &c., all eagerly and most harmoniously sung, what, if the cause of this transport were not a mere phantasy, would in fact be a dirge over the dying liberties of England. The press has usually been considered the best guardian of our liberties. Much as we value it, we have always thought its merits rather overrated in this particular. It has often occurred to us, that the gentlemen of the press are very apt to be taken in by false pretensions boldly and coolly put forward, and to be baffled by the novel and unaccustomed character of the subjects they are suddenly required to exercise their judgments upon. On known topics they slide

along at a railway pace, pouring out facts, arguments, extracts, statistics, reports, correspondence, witticisms, and all the other material of controversy, till the reader is aghast at their profundity and fertility. But give them a new subject, and how soon they break down, and show with how little wisdom or knowledge newspapers are edited. Here is the *Record*, a Christian newspaper, a lover of Church freedom, and, above all, a stickler for scriptural warrant, yet it gulps down the astounding figment that an Englishman is to be sentenced to a punishment of the greatest severity, and by one man, without being told what for, without trial, without charge, without defence, without even a verdict, and without appeal, as if it were an event of every-day occurrence. Its columns are filled with paragraphs headed, with flaring capitals, "Oxford Board of Heresy," "Suspension of Dr. Pusey for Heresy," and a dozen other equally imaginative ideas. "The condemnation of Dr. Pusey, in due form," it proceeds, "and under the provisions of a statute 'for such cases made and provided,' is an event of no slight importance. It removes this acknowledged head of the Tractarian party from the elevation he has heretofore occupied, and places him in a very unquestionable way, among the teachers of error," &c. So Dr. Pusey has been found guilty of heresy, Mr. Editor? Why not add horse-stealing? Its just as true as that he has been found guilty of heresy. Come, pen and ink are cheap, and your readers are simple-minded, write down a few more crimes; burglary, arson, and coining. Go on; how pretty the words look on paper. Add as many more as you can think of without any very painful effort of memory: petty larceny, poaching, smuggling, highway robbery, and selling tobacco without a license. One more: an offence under Lord Ellenborough's cutting and maiming act. That will do, though there happens to be no such offence now as the last. Let's count. Here's one, two, three, four, five, six, seven, eight, nine, ten, eleven, horrible crimes that Dr. Pusey has been found guilty of by six doctors. What a man he must be! Will the University suffer him to preach at the end of his two years? Why its all every bit as true as that the "six doctors" have found Dr. Pusey guilty of heresy. They have not found him guilty of anything. They have not found him guilty. They have not found anything. They have not looked for anything. They have neither come to a decision, nor made an inquiry. They have not done anything at all. They have not existed. There have been no "six doctors." It is very true that there are or were lately six men, doctors of divinity, at large in the University of Oxford, labouring under the hallucination that they were assisting and advising the Vice-Chancellor in a supposed trial. It is equally

true that at the same time there were a greater number of persons in a spacious building on Headington Hill labouring under their respective delusions. The one party had just as little to do with any actual process of law as the other.

We beg to assure the Vice-Chancellor and his six doctors that, talk as they will and think what they will, they have done nothing. They have only dreamt. People of easy, let-alone habits, resting securely in things as they are, when they are at length suddenly excited, either painfully or pleasantly, by sudden shock of horror or transport of delight, by fear or hope, are apt to vent the excitement in dreams. What is a dream? It is a dream when a man fancies himself somewhere, occupying a certain position, possessing and using certain means, and with them making certain impressions and producing certain results; the somewhere, the certain position, means, impressions and results existing nowhere but in the fancy of the individual; so that when the whole intellectual or rather imaginary process is over, things are exactly as they were before. Well then, these seven gentlemen fancy they have been in a court, and have been constituted judges, and invested with authority to try an alleged offence; they fancy, in a certain hazy way, that they have used their authority and gone through the various steps of a judicial process, have held a judicial consultation, and finally have pronounced a judicial sentence of condemnation. If they will but open their eyes they will find they have done nothing: their brains have been active, but their tongues and hands and feet where they were before. There has been no trial, no sentence. Dr. Pusey is where and as he was. They have made no legal impression on him. He is scatheless. The only result is, that they have been committing themselves before the University by some extravagant antics, such as men do sometimes perform in their sleep.

Distempered by sudden alarm, or stimulated by strange expectation, they have seen in mid air a phantom of delinquency, some suspected form, dim and uncertain as one of Ossian's deities; they have heard some grave words of accusation; they have been transported to some vast hall of justice, where assembled Christendom thronged below the dread thrones on which they, the all-powerful seven, were grandly and gloomily seated; the solemn commission was opened, the terrible authority given, and the awful counts of the indictment successively heard and shuddered at; orations of fire and fury developed, and drove home the charges which witness after witness unanimously confirmed; the attempt to answer and refute them was made though in vain, and another thundering peal of rhetoric from the accusing party shook the hall; the "Board" then rose one by one, and delivered

a stern, ponderous, unflinching judgment, sevenfold, like the shield of Ajax, *σάκος, ἥντε πύργον, Χάλκεον, ἑπταβόειον*: forth sped immediately the messengers of woe;—the sword of justice flashes over the disturber of their peace, and chains bind his wounded limbs to the floor of eternal dungeons; while themselves are hailed as peace makers and conquerors, and exalted with endless augmentation of dignity and power. In the midst of this upward flight, they wake and find all a dream; no court, no accused, no indictment, no pleadings, no defence, no judgment,—nothing,—nothing but a tea table, candles expiring in their sockets,—dim recollections of prosy talk, and some dark drowsy forms glooming through the dusk. The half-conscious judge as he wakes rubs his eyes, and vainly endeavours to realize his visionary exploits and honours. With Europa, though more happily, he asks,

“Vigilansne ploro
Turpe commissum? an vitio carentem
Ludit imago
Vana, quæ portâ fugiens eburnâ
Somnium ducit?”

The “Board,” whatever their intentions were, have happily committed no crime; innocent of *actual* vice, they have been the sport of a fond delusion. They have dreamt their dream, as thousands have dreamt theirs. The chubby-faced undergraduate, after being plucked twice for his little-go, turns his thoughts to some other field of ambition, and prefers an earnest petition to his father for a commission in the Guards. His imagination dwells on the crimson scene till he cannot doubt of a favourable reply, and day and night he enjoys sweet foretastes of victory, rank and pay. Expecting now an answer, he lies in bed one morning, deaf to the chapel bell, and pursues again and again the lovely shadows of war. He relapses into slumber, and shortly finds himself with a gallant troop, engaged in some new quarrel of indubitable justice with our cruel Affghan foe. Achievement after achievement rapidly leads him to the supreme command. He leads an army through the awful Khyber pass, fights twenty pitched battles in as many days, at last at the gate of the Bala Hissar he slays hand to hand the dreaded Akhbar Khan, he finds millions of hid treasure, he exterminates the whole of the barbarous tribes, and all resistance having thus sunk before him, he then introduces the arts of peace, the delights of civilization, and the productions of British manufacture to a happy and prosperous people. He returns, receives in person the thanks of the two Houses, is created Baron Ghuznee, Viscount Candahar, and Earl of Cabul; is granted a suitable pension, town residence, and country domain; he spends his money like a gentleman

and a Christian, and has just distinguished himself in his seat in the Lords, when a knock at the door, which his fancy had converted into thunders of applause, interrupts the golden thread of imagination, he wakes,—it is the postman with a letter from his father, which in brief and angry terms informs him that the only alternatives before him are an Oxford degree or a desk in the warehouse. Unhappy youth, what courage, what ability, what patriotism thrown away! The dream has vanished, Cabul knows nothing of him, Akhbar is at large and unconscious of his fierce assault, the tribes levy tribute as heretofore, the English commodities are still in England, his name is unknown to the peers,—all, all is the same, nothing has been done, his hands have not grasped the sword, his tongue pronounced no eloquence. By lecture time he will have forgotten even that he dreamed. Will Dr. Wynter and his six doctors excuse us? In the world of ideas they have run through a series of magnificent achievements, accusations, trials, pleas, orations, judgments and sentences, but have done nothing. The outward world of things, that whereof law takes cognizance, and which the business of life is concerned with, remains exactly as it was before.

But the *Standard*, a conservative paper, and said to enjoy the confidence of political men, might be expected to maintain the constitution of England and the rights of the subject against such an extraordinary aggression. Not a bit of it. Nothing can equal the placidity and coolness of reasoning with which the *Standard* undertakes to silence the clamours of Dr. Pusey's friends. "How preposterous! They want a trial. Are not six doctors enough? all of them better and abler men than Dr. Pusey. He has been tried. It's all quite right, depend upon it: there's no mistake. Then they demand a hearing. Who wants to hear them? We've had quite enough of them already. They do'n't suppose that they are to subject the Vice-Chancellor and the six doctors to the inconvenience of a long theological controversy, which a hearing must lead to. No, no. Squash them at once, and have done with them." We can assure our readers this is no exaggeration whatever of the tone of the *Standard*, which recurs several times to the "inconvenience" of a controversy in open court in Oxford. But where would the *Standard* have a theological controversy, if not before the Vice-Chancellor and six doctors of divinity at Oxford? Does the *Standard* think the Old Bailey, or Liverpool Assizes, or Exeter Hall, fitter places for the purpose? But the "inconvenience"! This same word inconvenience has been used a good deal of late years in a very suspicious and ominous manner. It speaks soft and mild, but is full of mischief. The convenience of the powerful is a very ancient plea for the oppression of the

weak. What has convenience to do with such a case as that before us? Is it the practice of the nation to take so tenderly into account the convenience of the judges, the accusers, the witnesses, and even the people at large, where the rights of individuals are concerned? No. Nothing is so remarkable as the way in which every other consideration is sacrificed in this country to the one object of securing that no one of her majesty's subjects shall be unjustly deprived of his rights, however insignificant or undeserving he may happen to be. A fellow of a poacher brings an action against a gamekeeper who has inadvertently exceeded his powers in some very slight degree, and is allowed to occupy courts and judges and juries days and days with his ridiculous case, and to triumph at last. Very recently the Staffordshire Chartists were occupying the public ear and the time of many important public officers with weeks and weeks of talk, examining and cross-examining scores of witnesses, and speechifying without end. They actually subpoenaed a cabinet minister, the Home Secretary, from his place in parliament, and after keeping him two or three days cooling his heels in the county hall at Stafford, told him to go about his business as they did not want his testimony. Nay, for what we know, they or their counsel are haranguing before the twelve judges in town up to this very day; the unhappy judges being always the last persons to express impatience.* How short would the *Standard* be with such people. Its plea of "convenience" would have opened the commission after breakfast, and strung up the whole of the prisoners at the bar by dinner-time.

In our English court of justice the question, whether the accused is innocent or guilty according to the law, is the paramount and all-engrossing object of thought. Before it are sunk all other human considerations. The judge—a man, perhaps, whose very minutes are precious to his country, and whose failing health is the subject of a people's anxiety—sits from nine in the morning to twelve at night, in the infected atmosphere of a crowded court, to decide the momentous question, whether a poor wretch trembling before him shall for the next twelve months starve in a hovel or be fed in a jail. Respectable men are taken away for many days together from their houses and employments to serve on juries; and once in the box, though they should sit till they die, by law they may not part till they have agreed to a verdict. Nay, even the direct interests of public morality and decency are disregarded, that truth may be obtained and justice done. From what court on earth, we should like to know, does the *Standard*

* Since writing the above, we see that Mr. Feargus O'Connor, who was convicted in the country, has been acquitted in London, through a flaw in the indictment.

obtain its dictum that the inconvenience of a public controversy is a sufficient reason for refusing Dr. Pusey an opportunity of defence.

As we have noticed the views of the *Standard* on this subject more at length than we intended, it is fair to give an extract which will either bear out what we have said truly, or correct what we may seem to have overstated.

“ Doctor Pusey and the *dissenting sect* who have borrowed a name from him are determined to inflict upon the Church all the injury they can. The condemned doctor is now raising a complaint that he has not been heard in open court to defend his sermon, for the benefit of the Church and University; sixty of his followers, taking the hint from their leader, call for a specification of the particular passage condemned; and we find some of the public journals enforcing this most unreasonable demand. We have already explained why it would have been inconvenient, and even dangerous, to go through the forms of a public trial, which, in fact, must be a public trial of the Articles of the Church of England—a public trial of the Christian faith, as we hold it—after Doctor Pusey had given the evidence of his impeachment of those Articles under his own hand. It is universally known that one of Doctor Pusey’s heretical and idolatrous propositions was the Romish doctrine of transubstantiation. Would it have been wise, or even innocent, to allow this doctrine to be publicly debated upon a collateral issue before six doctors of divinity in the University of Oxford? Suppose in a court of justice a man were to say, ‘I have maliciously killed a neighbour of mine: I do not even plead *monomania*, but acknowledge that I killed the man deliberately; what I now demand is, license to show that your law against murder is an unjust law.’ How would the judge answer? He would say, ‘I reject your demand. I do not sit here to listen to impeachments of the law, and justifications of crimes which the law marks out for punishment; still less do I sit here to maintain order in a lecture room, where ignorant persons may be taught to quarrel with the law, and to think lightly of the gravest crimes. Your confession amounts to a plea of *guilty*. I can hear no more from you, and it is now my distressing duty to pronounce,’ &c. So far for the complaint, that a public trial and a public defence have not been granted. All the other subjects of complaint are such as Dr. Pusey has the means to remedy in his own hands. He can, if he is willing to dare his diocesan as he has dared the University, print and publish his heretical sermon; he knows the heretical passages which have drawn a condemnation upon him; he is free to make them known to others, and, *if he dare do so*, to defend them. We suspect, however, that Doctor Pusey will do nothing of the kind.”

Have we overstated this watchful and consistent guardian of the British constitution? If possible, the latter part of the article brings out the writer’s ignorance of the subject, and the unconstitutional spirit of his comments still more than the passages we have been remarking upon. “Suppose in a court of justice

a man were to say, 'I have maliciously killed a neighbour of mine,' &c. Every jury on a criminal cause has two questions to decide; 1, whether the alleged act was really committed; 2, whether that act is criminal according to the law. The judge is bound to exhibit to the jury a certain canon or type of crime, and the jury are to decide whether the act, if proved to have been committed, tallies with that description. The *Standard* seems absolutely to forget this important feature in our criminal courts. If it is necessary to illustrate the subject from that source, the parallel case is that of a man who says, "I admit the act. I did kill the deceased; but it was in self-defence: he was the ring-leader of a rabble who were breaking into my house with arms in their hands." It is then for the jury to compare that particular act with the class of acts which the law calls murder. And mark, Mr. Editor, the prisoner is allowed, personally or by counsel, to plead to this very point, whether the act is murder or not. Why is Dr. Pusey to be denied the like privilege? Having delivered up the alleged *corpus delicti*, and so admitted a certain act, why may not he plead, by himself or counsel, in open court, that the statements in the sermon are not contrary to the doctrine and discipline of the Church of England?

The case of a suspected sermon corresponds exactly with the case of an alleged libel. When the document is produced in court, and admitted by the author, or brought home to him, much more remains to be done before the writer can be fined a thousand pounds, or sent to prison for two years. He pleads that it is not a libel; his counsel presents to the jury a legal definition of libel, and attempts to show that the document does not come up to that definition. He is answered. The judge sums up, and it is his duty to explain the law to the jury, divested of the exaggerations, and cleared from the embarrassments and concealments, which the *ex parte* spirit of the pleaders may have thrown over it. The judge does not speak from the dictates of mere common sense; he is not merely a sensible gentleman, talking to the jury; he does not appeal to their extra-forensic opinion of right and wrong, truth and calumny; he is put there to tell them what they are not expected to know of themselves, what does, and what does not, come up to the *legal* offence of libel. It is well known, too, that the existing law of libel does not tally very manifestly with the dictates of common sense and feeling, nor is it likely that any law of libel ever would. Under it many an abstractedly innocent person is found guilty and severely punished, and many a guilty person is acquitted. So many are the available pleas and precedents, and so intricate are the questions involved, that nobody who had the means of defending himself would choose to

leave his cause in the hands of an accuser, judge and jury. He would almost give himself up for lost if he could neither plead himself, nor procure some more competent person to plead for him; then, and then only, would he consider he had a chance. Now the question whether a certain theological document, on a most difficult and mysterious subject, is or is not contrary to a very heterogenous mass of symbolical documents, such as those of the Church of England, certainly is not a less difficult question than the question whether a certain publication is legally a libel or not, and therefore is one in which a man would not less require legal formalities, the fairness of an open court, and the assistance of an experienced pleader.

The newspapers, again, rightly deeming that the name of such a novelty is rather optional (though in law names are by no means optional), for the sake of variety and effect, call this imaginary being a "Commission of Heresy;" on the idea, we suppose, that the Vice-Chancellor has issued under statute such a commission, invested with absolute authority. But what will her Majesty say when she hears that there exists a person in her realm arrogating to himself the super-imperial power of packing and constituting a commission empowered to demand proof of guilt, to extract this on oath from the suspected party, and then in secret conclave to come to a secret decision, without the semblance of legal process—without allegation of crime—without a hearing or any opportunity of defence, and of administering forthwith, upon their secret reports, punishments of the greatest possible severity,—all without any formality whatever, except the entering minutes of his proceedings in a register? What will her Majesty say to this? She pretends to no such power. The judges are a royal commission. Can the Queen, having procured the *corpus delicti*, or extracted on oath self-condemnatory evidence from suspected parties, lay it before a judicial commission packed for the purpose, and, when they have *secretly examined and secretly reported* on the documents, forthwith deal out the penalties of the criminal law on the helpless, defenceless accused? No such thing. We have had many royal and parliamentary commissions lately;—can they do any thing contrary to the usages of law, and without the formalities of justice? The Tithe Commissioners have power of compelling commutations; they give notice of an open court, summon all the parties interested to appear, put forth and prove their claims, either personally or by counsel; they hear the evidence, solicit more, if that first offered is insufficient, and pronounce their award according to the evidence, whatever their own secret opinions of the facts of the case may happen to be; while a superabundance of remedy and appeal is given to the parties concerned.

Would the common sense of mankind admit for a moment that a similar trial in any other department was a trial at all? Would it think of it in any other light than a mere indecent mockery of justice,—insult added to outrage? Imagine such a case as the following. Let O'Connel's repeal agitation lead to overt results such as he perhaps does not contemplate, a civil war, and for a time a successful one. Let there be a good deal of exasperation on both sides. Some military chief of the Catholic party is in undisturbed and comfortable possession of Dublin Castle. A leader of the Protestant party falls into his hands, is thrust into some prison or hole, informed that a court-martial is sitting upon him, and that he will not be kept long in suspense. The gaoler or sergeant who tells him this, wishes him good night in the same breath, and leaves him in the dark, damp, and dirt. The captive is left to his own speculations. Meanwhile the court-martial is holding. Whatever the military law is which it pretends to be based upon, its actual working is as follows. The guests and inmates of the Castle sit round the dinner table, discussing the merits of the case, together with the contents of the dictator's larder and cellar. Notwithstanding a few minor differences, *amantium iræ*, they agree remarkably well in the main outlines of the affair. As they part to bed their votes are taken, or at least recorded in their host's pocket-book. He speaks a word to his valet, and goes to bed also. Before he is up in the morning the unhappy Orangeman is taken out of the coal-hole and led to execution. Now, we ask, what would all people not absolutely inhumanized by passion and prejudice, think and say, if they dare to say it, of such a transaction? They would think overnight that Lord So-and-so was in evil case, and the next morning, when the event transpired, that he had been foully murdered. They would think the case only made worse by the pretence of a trial; that not all the laws and statutes of war or peace in the whole world could make a private dinner party a court-martial; that the sentence so given was a legal nullity, that the trial was mere huggermugger. Just as legally null, just as little of a trial, has been the proceeding in the present instance. People may be found of course to write and talk in defence of it, and other people may be found exceedingly happy to shut their eyes to its preposterous illegality, thinking it all gain that Dr. Pusey should get a quietus, whether by fair means or by foul. We wish these people joy of their cause, and beg to tell them how we view it, and must view it. We can only suppose that Providence has suffered this delusion to lie in their way, in order that they might expose themselves to the just and holy throughout the world, and in all time to come, as persons whose blindness

to religious truth made them also slow to discern between moral right and wrong.

A word more. The decision of such a so called "court martial" could not possibly affect the character of the man who had fallen under it; nobody would for a moment think him in consequence a traitor or a rebel, or any thing of the sort. But, on the contrary, the blackness and foulness of the deed would cleave to the names of those men for ever, and that just in proportion to the dignity and virtue of their victim. In like manner, the decision of such a so called "Board of Heresy" has no relation whatever to the character of Dr. Pusey.

There are certain stock images of despotism which are become part of the education of youth, which we are taught to abhor as soon as we are capable of abhorrence—nay, the hatred of which is in fact the elementary origin of our feelings of independence and virtuous indignation. But unfortunately we are as prone to fix the affection of abhorrence on idols, as the contrary affection of love and reverence. It is easy to abhor Nero, and be very slack and inert in an abhorrence of the race whereof he is the type. Again, the Emperor of Russia, the Dey of Algiers, when there was one, the Pope, and the Grand Inquisitor, &c., are all familiar figures of speech; of which the House of Commons, the Act of Toleration, Trial by Jury, &c., are the customary opposites. Yet how easily may all this have become dead letter, mere hieroglyphics! What a slight film separates us from despotism! What has just happened? We will venture to say that no Cæsar in the midst of his legions or his Prætorian guard; no Pope in the Church's direst emergency; no Tudor in reliance on his personal might and awfulness; no Stuart, in conceit of his divine prerogative; no leader of a republican convention in the worst reign of terror—ever did attempt or could imagine a more preposterous departure from law and justice than what that very peaceable and courteous man, Dr. Wynter, has been allowed to perpetrate with scarcely a breath of remonstrance. He has assumed the absolute power of declaring, by the word of his own mouth (for it practically comes to this), what is and is not contrary to the doctrines and discipline of the Church of England: nay, not this, but worse; for he has assumed the power of suspending whomsoever he pleases from preaching within the precincts of the university, without assigning any specific offence, and thus proclaiming whom he pleases to be heretical; he has assumed the power of depriving any member of the University of a right which is a legal property, and also of his personal liberty (for fine and imprisonment are among the penalties of this statute), by his mere *sic volo, sic jubeo*; a power allowed to no officer, no court,

in England or any other civilized country. To what extent Dr. Wynter himself and his "six doctors" are morally compromised in the affair, it is impossible to say. Just now we are only animadverting on the wondrous facility with which the public, the press,* and even parliament itself, has at the moment we are writing suffered as many as ten days to pass without detecting and confronting this extravagant imposture.† With what edifying unanimity, with what infantine docility, with what balmy delight, have learned men, and political men, and liberal men, and pious men, gulped down the merest hoax, whatever its authors thought of it, that ever sprung from wanton schoolboy's brain.

From this fact something may be learned as to the value of those very profound and severe investigations into the subject of Church authority, now so much in vogue. Here is a test which shows at once that fair as they may seem on paper, in good print, and with an ample margin, and numerous foot notes, they are little more than book work, and head work, mere cobwebs of a rational theology. Writers against the abstract principle of a papacy are hailing Dr. Wynter as the infallible authority, whose tea table censures are unquestionably the voice of Omnipotence. Divines whose talk is of the schisms of the Roman Church, the self-contradictions of infallibility, the conflicting judgments of suc-

* We gladly make an exception in favour of the *Times* and the *Morning Chronicle*. The following is extracted from an article in the latter (June 9): "The ignorance of the public extends to Dr. Pusey himself. He has not been informed of the offence for which he is punished, and he was not heard in his defence. He declares his belief that his sermon contained nothing contrary to the doctrine of the Church of England, and challenges his judges to point out what they think error. Such is the state in which this extraordinary case goes forth to the public; and what effect is it likely to produce? Sympathy for Dr. Pusey, as it seems to us, rather than any other feeling. The love of fair play is deeply rooted in the nature of Englishmen; and no man can think that Dr. Pusey has had fair play. He has been condemned in the dark, and punished without reason being assigned. What objection can there be to a statement of the variance between the doctrine of his sermon and that of the Thirty-nine Articles? Dr. Pusey's error, whatever it may be, is likely to be shared in by others. Are they to be punished one by one as they fall into the same mistake—in the same silent manner, and without one word of warning which might save them? It is preposterous to expect that the Tractarian party can derive anything but strength from such proceedings. The silence of Dr. Pusey's judges gives ample room to his supporters to assign motives for the course which was taken. Dr. Pusey, as every one knows, is a man of great learning and ability; and it is freely hinted, that a silent condemnation of his opinions was more convenient to the board of censors than an argumentative exposition of their fallacy."—*Morning Chronicle*, June 9.

† Last week (June 9) Mr. Ewart, certainly no admirer of Dr. Pusey's views, called the attention of the House of Commons to a circumstance which, though he described it rather oddly, was even so stated one of no little constitutional interest. "A certain board had lately been sitting in the University, called, he believed, a Commission of Heresy. They had brought in a verdict, but they had stated no reason for their finding." The bare mention of such a proceeding ought to have made our liberal legislators start with horror. On the contrary, the question was hooted down with cries of "Oh, oh," and the House passed on to another subject.

cessive popes, and the hostilities of anti-popes, surrender themselves without reserve to a rule of faith, which is to change every four years at the least, and which there is nothing to hinder from alternating at intervals of that length between the extremest opposites. The apostles of private judgment, liberty of conscience, and free inquiry, rejoice that Dr. Pusey has at last been silenced; and that without being heard in defence, which they seem to think the pleasantest part of the business. They whose daily cry is the Bible, and the Bible only, now gladly make an exception in favour of Dr. Wynter's concurrent authority. It really seems as if people must have popery; as if it was one of the wants of human nature; and that if debarred from the Pope of Rome and the college of cardinals, they would even put up with the Vice-Chancellor of Oxford and "six doctors."

The famous statute which has been interpreted into an absolute subjection of the whole theology of Oxford, and the liberties mental and bodily of every member of the university, under the arbitrary will of one man, is the eleventh statute in the sixteenth chapter, the whole of which relates to the University Sermons; and is as follows:

'Tit. xvi. § 11. "*De Offensionis et Dissentionis materia in Concionibus evitanda.*"

"Statutum est, quod si quis pro Concione aliqua, intra Universitatem ejusve Præcinctum habita, quicquam Doctrinæ vel Disciplinæ Ecclesiæ Anglicanæ publice receptæ dissonum aut contrarium, aut publica auctoritate, ad tempus vel aliter, prohibutum, protulerit, sive protulisse ab ipso Vice-Cancellario suspectus, vel ab alio aliquo, rationabilem suspicionis causam afferente, delatus fuerit: Quod postulanti Vice-Cancellario, sive ejus Deputato, Concionis suæ verum exemplar, eisdem terminis conscriptum, virtute juramenti tradet; vel, si prætendat se exemplar non habere, de iis, de quibus suspectus vel delatus fuit, directe virtute juramenti respondebit.

"Deinde vero Vice-Cancellarius, sive ejus Deputatus, verbis sensu eorum, quæ in quæstionem vocantur, in medium prolatis, et rite perpensis, adhibito consilio sex aliorum S. Theologiæ Doctorum, (quorum unus sit S. Theologiæ Professor Regius, si Concioni interfuerit,) si quem criminis objecti reum invenerit, eum pro arbitrio vel a munere prædicandi intra præcinctum Universitatis suspendet; vel ad ea, quæ protulit, recantandum adiget. Sin verba ad seditionem aliquam in Universitate, vel Societate, sive Communitate aliqua excitandam, Vice-Cancellario tendere videantur, ipse solus Vice-Cancellarius, adscito sibi uno aliquo Sacræ Theologiæ Doctore, qui interfuit, incarceratione, mulcta pecuniaria, vel recognitione publica (prout ipsi videbitur) puniat: et prædictorum criminis suspectus perturbatæ pacis reus habeatur."

As we know that many take an interest in this question who cannot read the original we will translate it,

Tit. xvi. §. 11. "Preachers to avoid matter calculated to give offence or to cause dissension."

"If any one preaching within the University, or its precincts, shall have brought forward anything at variance with and contrary to the doctrine and discipline of the Church of England as by law established, or anything forbidden by lawful authority for the occasion or otherwise, or shall be suspected by the Vice-Chancellor himself of having brought forward such matter, or shall be accused thereof by any one else alleging reasonable ground of suspicion; on the demand of the Vice-Chancellor, or his Deputy, he shall deliver up, under oath, a true and literal copy of his sermon; or if he shall allege that he has not a copy, he shall give direct answer, under oath, concerning the matters of which he has been suspected or accused.

"That being done, the Vice-Chancellor or his Deputy, having brought forward into court and duly examined the words or the sense of the passages called in question; having also consulted six others, who shall be Doctors of Divinity, and of whom one shall be Regius Professor of Theology, if he was present at the Sermon; if he shall find the defendant guilty of the charge brought against him, he shall at his discretion either suspend him from the office of preaching within the precincts of the University, or shall compel him to recant those things which he has brought forward. But if the words shall appear to the Vice-Chancellor to tend towards exciting any sedition in the University, or in any college or hall, the Vice-Chancellor himself alone, having advised with one other Doctor of Divinity, who was present, shall punish him with imprisonment, pecuniary fine, or a public apology, at his discretion: and the above accusations shall be considered amounting to the charge of disturbing the peace."

Now of course nobody expects any statute to furnish within itself all the information necessary for putting it into practice; nor is it expected that all the terms of a statute should be perfectly intelligible to ordinary persons without any collateral knowledge. This would indeed require in the present instance that between the first words *statutum est*, and the last words, *reus habeatur*, we should find repeated about half the Book of Statutes, besides a whole encyclopedia of civil and canon law. A statute leaves existing law and usage alone, except when it particularizes something to the contrary. It says as little as possible, because all innovation is an evil as far as it is innovation, and so to be avoided, except when necessary. No person therefore accustomed to jurisprudence of any kind will be surprised, on the reading the above statute, to find that it is not quite self-explanatory as to the mode of working it, and that a good deal

is left, not to the unassisted judgment of the magistrate, but to the existing course of law.

We will go through the terms of this statute. In the first place, as to its subject. Though it comes in this chapter, as relating to preachers, in one sense it is out of place, and would more properly come under chapter xxi. *De Judiciis*. However, its position here does not the least show that it gives to the Vice-Chancellor other judicial powers than are given in chapter xxi., or that the statute is something *sui generis*; for it is expressly referred to in chapter xxi., section 16, where offences against it are enumerated, together with various offences against other statutes, under the head of "disturbances of the peace;" and it is declared that persons found guilty of these offences shall not be allowed to appeal against sentence. It is to be treated exactly as if it came under the head *De Judiciis*, and belonged to the ordinary judicial power of the Vice-Chancellor. *Judicium* is, according to Facciolati, "*Legitima causæ seu rei controversæ, apud judicem inter duos vel plures litigantes, contentio et disceptatio*," a definition which corresponds with the rule of the civil law, that in every trial there must be three parties, *Judex, actor, reus*. Judge, prosecutor, and defendant.

Ejusve præcinctum.—Whatever power the Vice-Chancellor or his deputy has over the University pulpit, he has over all the pulpits in Oxford, and as far as the jurisdiction of the University extends. There are about a dozen churches in the diocese of Oxford over which the Vice-Chancellor or his Deputy has a super-episcopal, and, if Dr. Wynter's construction of this statute be allowed, a super-ecclesiastical, super-legal, and super-human authority. Whatever powers this statute gives, it gives to Dr. Kenyon over St. Peter's, St. Giles', St. Ebbe's, &c. He has authority after trial, we say—without trial, Dr. Wynter says—to prohibit any clergyman from preaching in any church in Oxford, and thus indirectly to deprive him of his living.

Doctrinæ vel Disciplinæ Ecclesiæ Anglicanæ publice receptæ.—Not any particular man's notion of the Church of England, either what it is, or what it ought to be; but as by law established or publicly received, which involves that view of the Church of England which the State adopts, and that can only be ascertained by reference to the Ecclesiastical Courts. What is and what is not inconsistent with the doctrine and discipline of the Church of England, is about the most difficult question on which the human judgment can be exercised; indeed, it may be pronounced above the private understanding of any man, or half dozen men. So in cases of difficulty, we must at once recur to the rules and precedents of the Ecclesiastical Courts as far as they can be brought to

bear; and there is all the more necessity for this, from the circumstance that the decision of the Vice-Chancellor is final. There is an unlimited appeal from the Archbishop's court to the Queen in Council, but none in cases under this statute from the Vice-Chancellor of Oxford. Now it is well known that the highest Ecclesiastical Court has lately decided that prayer for the dead is not contrary to the doctrine and discipline of the Church of England. And it is possible that a suit in the Court of Arches might in other subjects also lead to a different result from a private conversation at Dr. Wynter's tea table. We do not doubt that a party accused under this statute might allege the decisions of the Ecclesiastical Courts, and that the judges would be bound to abide by these decisions. How else are they to find out in what sense the doctrine and discipline of the Church of England is received by the State? What they hold themselves, or what they think the Church of England holds is quite another affair, and has nothing to do with the question. Now what security has a party accused under this statute that such an inquiry shall be fully and fairly made, unless he is present in person, or by his proctor, and the court is open? Open court, &c., a *bonâ fide* trial, would record the allegation of certain precedents, and also the fact of the seven judges deciding flat against the precedents if they had the hardihood to do so.

On these words *publice receptæ*, we have one more remark to make. At the last confirmation of these statutes, A. D. 1636, there was no explanatory clause at the end of the communion service, the original one having been omitted by Queen Elizabeth, for the very purpose of enabling people holding such views as those said to be expressed in Dr. Pusey's sermon, to conform to the Church of England. The explanatory clause, with important alterations from the original, was restored at the last review in 1662. Now it must be admitted as a matter of historical fact, that whatever was the theology or the wisdom of the persons who conducted that review, their object in this step was *not* to exclude any of those whom Queen Elizabeth wished to include, but only to satisfy the scruples of the Puritans. It will, perhaps, be alleged that the alterations they made do really effect more than this, and that while those divines thought merely to satisfy non-conformists, they did actually exclude those whom Queen Elizabeth had wished to include. But if people will not take the sense of framers, compilers, and proponers, they must submit to some present living sense, and this cannot be legally ascertained, except by the rules and precedents of the Ecclesiastical Courts.

Vice-Cancellario, sive ejus Deputato.—We must here repeat the very remarkable circumstance, that the very same powers are here given to the Deputy, who may be called the Vice-Chancel-

lor's official, as to himself. The Deputy has not the smallest pretence of authority or any functions whatever, that we know of, *out of court*. Sitting there, he is a magistrate. The court once adjourned, he is a private person.

By Tit. xxi. § 16, preachers, within the precincts of Oxford, are obliged to deliver up their sermons, or the substance of them, under oath, if required by the *Chancellor* or his Commissary, *i. e.* the Vice-Chancellor.

Concionis suæ verum exemplar, &c.—The suspected person must deliver up a true copy of the suspected sermon, and that on oath; and if he has no copy, he must answer truly on oath to the charges brought against him. It has been observed, by the way, that the latter case, at least, requires a personal appearance before the Vice-Chancellor or his Deputy. Both cases do. Whether the statute has been complied with in this particular we know not. Now it is well known that such a proceeding as that described in these words is contrary to the common law, which does not require a man to criminate himself; but it is a process very familiar to the civil law, and of constant occurrence, we believe, in the ecclesiastical courts. The strangeness of the proceeding to English ears has given rise to an extraordinary notion, we do not say in the mind of the Vice-Chancellor and his six doctors, for no human mind is permitted to trace the peculiar character of the delusion under which they have laboured, but in their rather hard-worked defenders, *viz.* that the sermon once delivered, the trial was over as far as Dr. Pusey was concerned; and he not only had no right to appear, but could not reasonably feel any wish to do so. The following extract from the *Oxford Herald*, as well as some from other quarters we shall give in the course of this article, proves that we do not exaggerate the folly we refer to.

“To us it appears undeniable, that the imputations against the proceedings are altogether groundless. Dr. Pusey was not absent; he was not unheard. He put in his appearance when he submitted his sermon for examination. He was heard when his sermon was read. The six doctors were strictly in the character of a jury. Had they condemned the Regius Professor of Hebrew on the mere allegation of certain auditors of his sermon, without having before them proof under his own hand, and by his own admission, of what he really did say—then, indeed, he would have been condemned unheard, and in a manner inconsistent with the express provisions of the statute, as well as with the most ordinary notions of equity.”

Now this, so far from the last process in courts which still retain the usages of the civil law, is one of the very first. The method is to get all the information that can be got out of the

accused by fair means, that is by appealing to his religion. Foul means also used to be resorted to. The Romans examined persons, not having the rights of citizenship, by scourging; and there have been times when Christians examined Christians by torture. But in days when there were no juries, the oaths of the contending parties were the chief security which the law recognised for the discovery of the facts of the case. Men were treated as Christians, and were supposed to be incapable of uttering a falsehood before God.

Again, the partisans of "the Board" appear to be misled by their opinion of this preliminary step into a belief that the whole statute must be of an arbitrary and uncommon character. "It is a middle-age statute," say they; "contrary to modern notions perhaps, but very suitable to such a subject as theology, and to such an institution as a university. The first step leads you to expect what follows. If the Vice-Chancellor may demand a copy of a sermon, or the sense of a sermon on oath, you cannot be surprised to find that the next clause of the statute empowers him to summon a jury to his private room, and on mere inspection of the document pronounce sentence. Its all of a piece." Now here is a fundamental error. There is nothing really arbitrary in adopting what might be the shortest and best method of getting at the facts of the case, which, among Christians, such a course would be; so the preliminary step affords no reason to expect an arbitrary conclusion. Moreover, as we have said, this preliminary step is one of universal use in ecclesiastical law, and in every case it is accompanied with liberty of replying to the alleged objections, and with all the other forms and securities of justice.

Deinde vero Vice-Cancellarius, sive ejus Deputatus.—Again, observe Dr. Wynter, or Dr. Kenyon.

Verbis sensu eorum, quæ in questionem vocantur.—Called into question. So it appears there certainly does remain a question to be decided after the sermon is in court. The partisans of the six doctors say No. They say the only question is, Did you write this sermon? and that question once answered in the affirmative, there is no more question, as far as the writer at least is concerned. They say the only further question is one which the judge will ask himself and answer himself, with a sort of "Says I to myself:" or that if the judge has one assessor, they are to ask questions of one another, like the soliloquy of an amphisbæna; or if there is a judge and six assessors, they are to sit and talk round a tea urn, questioning and cross-questioning one another. The statute declares that there is a question *after* the sermon is in court, certified by the preacher. That question is the great question—the trial; for the decision of which the judges are appointed, the court is

held. But between whom is the question? Between one judge and another? No, surely, but between the accuser and the defendant. There can be no question without at least two alternatives. The accuser in this case propounds one alternative, viz. that the document in court is contrary to law; and the defendant propounds the other, viz. that it is not. The judges decide. "The word *quæstio*," says Facciolati, "is used by pleaders to signify that point on which the whole trial turns, and out of which the whole controversy arises; the hinge on which the cause turns; the chief point of debate." "*Quæstio* is the controversy which is produced by the conflict of sides, or *ex parte* allegations, thus, 'What you have done is contrary to the law;' 'What I have done is not contrary to the law,' &c."—*Cic. l. i. de Invent. c. 13*. Here Cicero introduces the very parties speaking.

In medium prolatis, et rite perpensis.—Brought forward into open court, and duly examined. First, *in medium*. The partisans of the Board say that *medium* does not signify open court,—the mid space between all the parties interested in the trial, particularly the judge, prosecutor and defendant—but some imaginary, metaphorical medium, between the judge and himself, between his own conflicting considerations,—a certain secret *mediolum* in which a certain *judicium* is secretly to work itself out. The words here cannot possibly refer to the interchange of thought between the whole seven, as besides that seven judges or seven hundred constitute a judicial unity as compared with the other parties necessary to the idea of a trial, the six assessors are not introduced till after these words. Whatever sense is given to the phrase *in medium*, it must be one which will hold good supposing the Vice-Chancellor sits alone.

Eutellus, urged by Acestes to accept the challenge of Dares, threw down a pair of gauntlets "*in medium*," the mid space between the Trojans and Sicilians, "in open view," as Dryden translates the expression. At school we remember that once or twice in five years very great offenders were flogged, not in the flogging-room, but "*in medio*." The whole school was assembled in one room, in the middle of which an open space was cleared, where the disgraceful punishment was inflicted before a thousand eyes. Facciolati, having given the first sense of *medium*, viz., a place between certain objects, says that—thence it signifies an open place, exposed to the eyes of all, and public; the light of day, the public, or the multitude. "The prize of music lies open to all," *in medio omnibus*.—*Ter. Phorm. Prol. v. 16*. Cicero, accusing Verres of tampering with the public accounts of his province, produces the very books, with evident erasures and interpolations, and has them carried round for the inspection of the

judges, as also to stop the mouth of Verres. "No further proof is wanting," he continues, "the accounts are in open court, *in medio*, and speak for themselves. How could you dare so open a villany!"—*Verr. ii.* 104. The falsified documents were *in medio*, and admitted by the defendant; but the defendant still had the opportunity of hearing the very terms of the charges founded upon them, and saying what he could in reply.—"That he, however, had never published that matter through fear of the consequences," *in medium protulisse*, the very same expression as in the statute before us,—*Verr. iii. c.* 11. "Other intellectual pursuits are generally derived from recondite and hidden sources, but the whole art and science of eloquence is in public, *in medio posita*, is a matter of common, universal use, and has to do with human customs and conversation."—*Cic.* "These things are not obtained from any occult branch of learning, but are taken from the public stock, *sumpta de medio*, and from deeds done before the public eye."—*Cic. Verba e medio*, are words in universal use.

"Cull your words pure, but from the common store;
And win the maiden with her own sweet lore."

Ovid's Art of Love, iii. 479.

Vocare in medium, is to bring into doubt, into discussion, into trial; because matters that are made public are viewed differently by different men. "Inflamed with suspicion, they began to call the affair into public question, and to demand an inquiry into the whole cause."—*Cic. pro. Cluent. c.* 28. *In medio relinquere*, is to leave undecided or undetermined: "There are some who say, &c., but others say, &c.; we, however, leave the question undecided."—*Sall. in Cat. c.* 19. Sallust, having listened to and recorded the opinions of the two parties, declines to adjudicate.—*Tollere e medio* is to drive out of our society. "Prudence is banished, *e medio*, and brute force prevails."—*Enn. apud Cic. pro Mur. c.* 14.

We have not space or time for a quarter of the instances in point which Facciolati and the indices to Cicero supply; but we cannot forbear quoting a few more. *In medio esse* is to be alive, i. e. in the land of the living, the visible order of things. Again, "The mother of the damsel is here, *in medio*, the damsel is here, the whole matter is here."—*Ter. Venire et procedere in medium* is to appear, *comparere* (a term of law), to present oneself. *In medio* is *sub dio*, in the open air. "That scorpions can be driven away by burning some of them in the open air," *in medio*.—*Pallad. i.* 35.

Before we leave the expression *in medium*, we must beg to remind the reader that it comes *before* the mention of the Six Doc-

tors, and *must*, on that account alone, refer to some other medium than any which may be imagined to exist between the several judges on the tribunal, irrespective of any other parties. But really will any body say, after reading the above authorities for the meaning of the word, that a private *coterie* of seven gentlemen, talking together, is the whole world whereof this *medium* is the mid space, open court, open air, day-light, and land of the living?

Prolatis.—The very word *proferre* is used repeatedly in these statutes to mean publishing either in open court or in open church, or to the whole world in some way or other. In this very statute it is used three times as applied to the preacher; once in this very sentence, “If he shall have brought forward,” or publicly stated, *protulerit*; “or shall compel him to recant what he has publicly stated,” *ea quæ protulit*. In *Tit. xxi. § 16*, the word is applied to those “who either in the public exercises, or publicly on the stage (of a theatre), have published any thing tending to bring any body into ridicule or disgrace.” In *Tit. xxi. § 2*, the expression is applied to the pleadings of the proctors, or counsel—the University Court: “In whose presence, i. e. the Vice-Chancellor or his Deputy and the two Proctors, they shall state, bring forward and exhibit (*edant, proferant, et exhibeant*), quietly and modestly, whatever shall appear directly to the purpose of their causes; and whatever is by them stated, brought forward, and exhibited, the Register, at the order of the Judge or the request of the party, shall faithfully write out, reduce into formal acts, and keep in safe custody.” *Tit. xxi. § 8*, which lays down the mode of proceeding in lighter causes, and causes which do not admit of pecuniary compensations, orders that “at the first court day, or the first hearing, the prosecutor shall briefly state his case, or his complaint, by word of mouth or in writing, himself, or by his proctor; and the defendant, *pars rea*, shall reply by himself, or with the assistance of a proctor, and, if he has any ground of defence, bring it forward on the spot.” In *Tit. xxi. § 7*, the word is applied to both parties bringing forward the truth in open court: “Bail being produced on both sides, and proctors appointed, both parties shall take an oath that in their libels, exceptions, and other matters alleged in the progress of the suit, when they are examined, they will state or bring forward (*proferant*) the truth to the best of their knowledge, as far as they are by law bound to do so.”

In all these cases, and in others where words undoubtedly equivalent are used, there can be no question whatever that *proferre* is a legal term, signifying the production of proofs in regular court, either entirely open, or a least as open as the defendant

desires. We mention this qualification because the statutes do allow a private court—but *a court still*; as we shall soon come to show.

But what does Facciolati tell us of this word *prolati*? *Proferre* is applied to bringing wine out of a cellar, arms and military engines out of a town, money out of a chest; to the moon exhibiting again her full orb, &c. &c.; to any body presenting himself to the sight. It is to exhibit, to show, to produce. “I have sent you my speech. Do as you like as to keeping it or publishing it.”—*Cic. Attic.* xv. 13. “On being charged with this offence they expect indeed that he will *produce into court* his orders in defence.”—*Suet. in Tiber.* c. 52. “The vestal virgins *produced into court* the will deposited with them.” *Ibid. in Aug.* c. 101. It signifies to make public, to divulge. “He *divulged* to the people the designs of the gods.”—*Petron.* “When I hunted out, laid open, *published to the world*, and extinguished those indications of a universal destruction.”—*Cic. pro Mil.* c. *pænult.* “A house in which nothing is done that will bear *publishing* out of doors.”—*Id. pro Arch.* c. 6. “To disclose the secrets of the mind.”—*Plin. xiv. c. ult.* It signifies to allege, to cite, to adduce a proof. “I would *bring into court* the books if you denied it.” “I will *call into court* witnesses, I will *call into court* the legates, I will summon the men who give testimony to his character.”—*Cic. pro Balb.* c. 18, &c. &c.

Et rite perpensis.—*Rite* in the opinion of Dr. Wynter appears to signify a respectable degree of seriousness, or at least enough to satisfy the judge himself;—as much gravity, *e. g.* as there is at a meeting of the Hebdomadal board, or at what is called a “clerical meeting.” There can be no doubt that the word refers to all the legal processes described in Tit. xxi. of the Statutes; which the Vice-Chancellor and his Deputy were solemnly sworn to observe on entering into their respective offices. The latter portion of the oath, as given in § 3, is sufficient for our present purpose, *viz.* to throw light on the meaning of the word *rite*; “that without any respect of persons, and *according to the laws, statutes, privileges, liberties, and customs* of the University, he shall *hear causes* without any delay or unnecessary adjournment, decide and terminate them.”

Let the reader then bear in mind that the statutes lay down many rules for the guidance of the Vice-Chancellor’s court, all with a view to securing justice to all parties;—that the civil and canon laws are the recognised law of that court; and the Vice-Chancellor is bound by oath to preside personally or by his Deputy in that court, and see that all causes are conducted according to the laws, customs, &c. of the University; and that the

statute before us orders that the words or sense of the sermon objected to shall be examined *rite*; then let us turn to Facciolati.

Rite.—In due form, with the accustomed ceremonies; according to custom and approved usage; by virtue of the custom and institution. It is applied in the first sense to religious ceremonies, which are said to be done *rite*, when the received usage and custom of antiquity is observed in them. It is thence applied to all things done according to custom or use. “They sign the testament in his own presence; the witnesses were present *formally*, or *in due form*.” “A marriage *lawfully* contracted.”

In Cicero we find, “If the edile has made the mistake of a word the games have not been *rightly* celebrated.”—*De Arusp.* 23. “He did nothing *rightly*, nothing religiously, nothing according to custom and institution.”—*Pro Dom.* 134.

Perpensis. This is evidently a judicial word, and applies to the act of comparing conflicting allegations.

“But all the more do thou *with judgment keen*
These systems *weigh*; if true they then appear,
Give way; if false, with all thy might oppose.”

Lucr. ii. 1040.

“The præter must *consider* and decide whom he should rather assist.”—*Ulpian. Dig. l. iv.* 13. Again we have in Cicero, “*judicato et perpendito*.”

Adhibito consilio sex aliorum S. Theologiæ Doctorum.—After the clause prescribing that the matter objected to must be brought into open court, and examined according to the customary processes of legal inquiry, comes another clause, which is invested by some people with the remarkable quality of eating up, as it were, and rendering absolutely null and void almost all the other terms and provisions of the statute, and then supplying their place with a kind of emanation from itself. In fact no grub could more thoroughly evacuate, nullify, mar the flavour, and destroy the substance of a filbert, leaving it ostensibly the same, than is that clause, we are now coming to, supposed to do with the statute under review. The statute goes on to provide that in consequence of course of the peculiar nature and the seriousness of the offence, the Vice-Chancellor should not sit alone, but have six assessors, who of course are to be Doctors of Divinity. They are to assist him in all his judicial functions, specially in giving their judgment on the pleas alleged, and on the points of doctrine and ecclesiastical law involved. This they must do publicly, i. e. in court, in the presence of prosecutor and defendant. Such was always the rule with assessors; and this statute makes no exception. The use of a number of judges is a very prominent feature in the Roman law or Civil law, and from it has been

adopted into every court which retains that law more or less; as e.g. the Privy Council, the Star Chamber, the House of Lords which succeeded to a great part of the functions of the last mentioned court, the courts of common law and equity, courts martial, and various others. In the records of ancient trials for heresy we always find a plurality of judges sitting and speaking in open court.

We cannot help thinking that the fact of there being seven judges, a thing rather new to University men, has misled many people into the extraordinary idea that the seven constitute a sort of deliberative body, created for a great emergency—an ecclesiastical dictatorship. They seem to read it *concilio*, instead of *consilio*. Certainly, unless law and justice be something very different from what we and all the world have always supposed them, Dr. Wynter's proceedings are absolutely irreconcilable with the idea of a judicial process; and therefore we are forced to the conclusion that he imagined the number seven must point at a sort of cabinet council—a cabinet council, however, with this important difference, that whereas a cabinet council can do nothing, Dr. Wynter seemed to think his council of seven capable of doing every thing.

We venture to throw out the question for the investigation of others, whether the Vice-Chancellor has the power of nominating the five in addition to the Regius Professor? We only ask the question. Such a power is quite unique in England, and not common, that we hear of, anywhere. In all other parallel cases in England, no judge appoints his fellows. Even supposing the formalities of a trial to be observed, this does seem too great an influence to entrust to one man. The sovereign cannot nominate judges *pro hac vice*; nor can the sovereign make and unmake judges at pleasure. Some French people in Oxford at the time of these proceedings, hearing that six doctors were trying Dr. Pusey, asked at once who the six doctors were, and "who elected them?" Truly a most important question! Again, in courts martial, which preserve the civil law, the person accused has the right of challenging his judges; a right which it is superfluous to say would have made an immense difference in the present instance, when Dr. Pusey, so far from having such a power, had no means of knowing, except through private channels, who his judges were. If we remember right, in the Roman courts, the defendant had the right of choosing whether the judges should vote by ballot, or deliver their judgments by word of mouth; and in the latter case, in what order they should speak; provisions which point at a very different mode of conducting a trial from that observed in this instance.

Quorum unus sit S. Theologiæ Professor Regius.—The statute

of 1836 put the present Margaret Professor in his place. The Margaret Professor happens also to be prosecutor in the present instance. Common sense and feeling would require that he should not be one of the judges; but it is alleged that the Vice-Chancellor could not help himself. We are disposed to doubt this, so much do we rely on the dictates of common sense and feeling; and so sure are we that the law is a great system, divinely inspired, and humanly elaborated for the purpose of carrying out the dictates of common sense and feeling. "*Ne quis in suâ causâ judicet, vel jus sibi dicat. Argumento quoque est, quod, cum possit quis in suâ causâ judicare, jus tamen dicere non possit.*"—Cod. Jus. iii. tit. 5. Here it is taken for granted that a judge cannot pronounce sentence in a case where he is one of the parties; or declare the law to himself.

Si quem criminis objecti reum invenerit.—These four words are all applicable to a regular court and a formal trial, and no other. In order to the carrying out of the statute there must be a charge brought into the court, and made the subject-matter of the investigation. Where was the charge in the present instance? There was absolutely none—none that the public knows anything about—none that Dr. Pusey had any official knowledge of. Was the like ever heard of in a civilized country? *Crimen* is that offence of which a man is charged, and for which he is brought to trial. In the present case there was neither a charge nor a person charged, in the court—though of course, under such circumstances, there was no court at all.

Objecti, "objected, upbraided, laid to one's charge."—*Facc.* The very act implied requires the person or representative of the accused. The offence must be thrown in his face, and he must repel it if he can. "I beseech you, do not mistake crimes *laid to a man's charge*, for crimes proved."—*Tac. Ann.* iii. 12. The word is thoroughly forensic, so that *objecta* is used constantly instead of *crimina*.

Reus.—There must be a defendant, and consequently a regular trial. In the late proceedings there has been no *reus*. A member of the University has been treated, not as an accused person, but as a public enemy, by some other members, who supposed themselves to be possessed of a certain extraordinary politico-judicial authority. Dr. Pusey has been treated exactly as the allied powers treated Napoleon Buonaparte; but in our humble opinion Dr. Wynter cannot make out his warrant so well as the allied powers. There was a court before which Dr. Pusey could be brought. Napoleon was condemned without being legally *reus*, because there was no court competent for his trial. It was a case of necessity, and the actual masters of the earth were forced to act

on their own responsibility, and send the scourge of the earth to St. Helena. We should have thought there really was no chance of an Englishman thinking it possible that a subject of this realm could be condemned without being first a *reus*, i. e. a defendant or a prisoner on trial. In the civil law it was impossible.

The notion that a citation, an appearance in court, a fair hearing and such forms were absolutely necessary when possible, was so deeply fixed in the civil law, that it led to some ridiculous results. Persons whose memory was charged with heresy were summoned to appear years and ages after they were dead, and pronounced contumacious, or something of the sort, on their non-appearance; and forthwith judgment was executed on their inanimate remains, if any could be found. And all this was because the law held that a person could not be legally punished without all the preliminary forms of justice; i. e., unless he had first been *reus*, and had so proceeded to judgment. The appearance of the persons cited on the occasions referred to would probably have produced no little consternation in the court, though Doctors of Divinity were bold men in those days. It would seem that the appearance of Dr. Pusey in Dr. Wynter's lodgings during the recent proceedings would have caused at least as great and unpleasant a sensation.

Reus means "Whoever is brought to trial, whether he has committed any offence or not; and the opposite term is accuser, plaintiff, or prosecutor." Cicero says, "*Reos appello, quorum res est*," which is commonly said to be the derivation of the word. Again, "He says that he was once in his life afraid, and that was when he was first made *reus* by me," Verr. ii. 2, on which Asconius observes, "What is meant by being made *reus* but being examined with reference to the laws in the presence of the prætor? For when the parties had come into court, the accuser said to the defendant in the presence of the prætor, 'I say that you plundered the Sicilians.' If he had returned no answer, it amounted to a verdict against him: if he had denied the charge, the magistrate was requested to name a day for inquiry into the crimes alleged, and the indictment was forthwith prepared."

Will any body now pretend to say that the *terms* of the statute do not suppose an actual trial,—a court, a judge, a prosecutor, a defendant, a charge, a reply, and a judgment?

But, it will be said, the Vice-Chancellor *does* try causes privately, and is empowered by the statutes to do so; in fact, he seldom, if ever, makes his appearance in public in a judicial capacity, having a sort of domestic court in his chamber, and leaving the public court to his Deputy. The statute *Tit. xxi. § 10*, permits the Vice-Chancellor to proceed privately, *non solum publicè in curia, sed etiam in privato hospitio*, in criminal causes,

and in those which relate to the reformation of morals, *in causis criminalibus, et iis quæ ad reformationem morum spectant*. Now, every body acquainted with the University, or with education in any shape, will know that such a permission is absolutely necessary, for certain reasons. It would be very unwise and very cruel, not so much to the prosecutor *as to the parties accused*, for every fault of which a young man may be guilty to be dragged before the public. It would be the hardest and most injurious thing in the world, if every time a mere boy of an undergraduate was found offending against the discipline of the University, in ever so trivial a point, or falling into any of the more serious sins of youth, he were compelled to stand up at the bar of a public tribunal. His offence would be blazoned to the University, to his friends and patrons, to the whole world. Even if he were proved innocent, the trial would probably not redound to his credit; as he would never be tried but for some grounds of reasonable suspicion. We should have police reports, which would certainly find their way to the London papers, of the frolics of lords and honourables at Oxford; and in a multitude of about twelve hundred young men, not a day would pass without a case or two. Again, the authority of the Vice-Chancellor is an auxiliary to the internal discipline of the colleges, which is of a strictly private character. In these cases it is evident that publicity would be an immense aggravation of the punishment, and that the accused would be the last person to ask it. His offence is in its nature private, and if possible he would wish the punishment to be private also, and therefore of necessity the trial; for the publicity of the trial would involve the publicity of the offence and of the punishment. Privacy is therefore, in this case, an indulgence to the accused, not to the judges, not to the accuser. The details, also, of the general run of criminal causes are of a nature to hurt the cause of public morality, or the tone of feeling.

It is the greatest kindness to a man whose offence is private and shuns the light, to try him in private, and punish him, if not privately, yet at least so as not to solicit observation. But, in the present instance, the alleged offence, the suspected act is public, as public as can be conceived; the punishment also public. Public? publicity itself; *the* most public event just now in the Christian world; so public, that through it the "six doctors" will be and are now known to millions who would otherwise never have heard their names. If the crime is public, and the punishment public, what pretence is there for hiding the connecting link—the trial, in thickest obscurity?

It will now be said that the statute just mentioned, viz. *Tit. xxi.*

§ 10, allows a private hearing *in causis criminalibus*, and that Dr. Pusey's case is a criminal cause; for the statute under which he has been "tried" calls him *objecti criminis reus*, gives a name to the *crimen*, calling it *perturbatio pacis*, and inflicts a penalty. Well. This is one of the very points we are most anxious to bring out; i. e. that Dr. Pusey's case is a criminal case, and does make him *reus objecti criminis*. But observe, Mr. Vice-Chancellor—observe, you six other gentlemen—this statute, xxi. § 10, does indeed allow a private hearing, *but it must still be a hearing, though in private*. It must still be a legal trial, and all the forms of law, and securities for justice, observed. The statute incidentally mentions that the accused is *convened*—*si quis de delicto aliquo graviore conveniatur*; the Registrar, it is said, is to make an entry of the *crimen objectum*, whereas there has been no *crimen objectum* in the present instance—he is to make an entry of the proofs (*probationes*), whether given by word of mouth or documentary, and, of course, on both sides; and also the judgment. Even though the cause is, as an indulgence to the silly young man, and to prevent the University from being filled with the gossip of a frivolous or immoral case, tried in the Vice-Chancellor's dining-room, still the said silly young man is *present*, and if he has any thing to say for himself, he *may* say it, or have a friend, or even a proctor, a learned civilian—if he should be goose enough to commit such an absurdity—to plead his cause for him. But what is usually the fact of the case? That the young man has not a word to say for himself, and can do nothing but beg for mercy. He is brought up, after a thorough college investigation, or caught in the act by the Proctor, without a plea in the world; the character of his offence is as undeniable as the act itself; his only hope is mercy, his greatest fear and dread and horror is publicity, and his only plea is contrition. But suppose that such is the monstrous depravity of the offender, that having committed an offence, or been found in suspicious circumstances, he should wish the proceedings of the trial to be public. He *can* publish them if he likes. He can make the Vice-Chancellor's dining-room an open court, if such is his fancy. The proceedings will probably be deeply impressed on his memory for a day or two, till effaced by the next debauch; and, if such should be his humour, he can write them down, send them to the printer or to the newspaper, and circulate twenty thousand perpetual monuments of his folly, sin and shame.

To come more to the case in question. Looking to the letter of the statutes, the Vice-Chancellor *has* the *power* of hearing criminal causes in his dining-room, and Dr. Pusey's cause is a criminal cause, so he has the *power* of hearing Dr. Pusey's cause in his dining-room, or anywhere else that he pleased. He has

also, by the same statutes, the *power* of trying in his dining-room the case of a sermon alleged to be of a factious character, and, on conviction, of sentencing the writer to pay a fine of 500*l.*, or be imprisoned two years in Oxford gaol. And we can easily conceive cases in which the preacher, as well as the Vice-Chancellor, would rather have the case privately tried, and it would be better that it should be. The man, perhaps, did not know at all what he was saying, and is quite as ready to unsay it, as to say it; perhaps he is wholly destitute of argument or authority for what he says, and dreads the learning of six doctors; any how it is very natural that an ordinary clergyman should prefer a private to a public trial on a charge something like heresy. While, however, the Vice-Chancellor has undoubtedly the *power* of hearing such causes in his dining-room, he has equally the *power* of hearing them in public court; and all precedent is in favour of causes of this importance, in which the Church is so deeply concerned, being heard in public court. If, too, the accused wishes for public court, we cannot see how the Vice-Chancellor can with any propriety, any ordinary kindness, any justice, refuse. But, we repeat again, whether the cause is heard in a dining-room, or in the Apodyterium, or in the Law School in St. Mary's, or anywhere else, it must still be a cause, a real *bonâ fide* trial; judge, prosecutor, *accused*, definite charge, the allegations on both sides recorded by the registrar, every legal opportunity of defence and security for justice. Without those requisites to the very idea of a trial, requisites according to the Oxford Statutes and all other forms of law in the world, there has been no trial, but a mere private party; and half a dozen gentlemen might as well meet, have a game at billiards, and then go about telling people they have tried somebody they never saw in their lives for treason, and sentenced him to be hung, drawn, and quartered.

As to the literal and obvious meaning of the statute there can be no doubt; it supposes an open trial; open to all intents and purposes, so as to secure that both parties are heard, and the judges are fully responsible, as judges ought to be. We readily admit that the statutes empower the Vice-Chancellor to hear causes so far privately that a man shall not be able to fill the court with a multitude of turbulent partisans, or endanger the faith of a crowd of under-graduates with blasphemous harangues. There have been times, and may very likely be times again, when it would be very difficult to preserve order in a thoroughly public court at Oxford; i. e. one to which the under-graduates or even their seniors were freely admitted. But there are many gradations of publicity between such a court and that most extraordinary tribunal,—all judge and accuser,—which we have just witnessed.

We are aware that our arguments drawn from the terms will not meet with much respect in some quarters; not because they may be severally disputed, but because actual practice and general principles are known to overrule the letter to an almost indefinite extent, and law is not philology. Of course. That is the very point we are so anxious to urge on the six doctors, who stand on the terms of the statute, and have no other ground in the universe to stand upon. Now then for the University practice. Not an instance can be found of anybody being condemned without having been cited to appear.

“ THE STATUTE INTERPRETED BY UNIVERSITY PRACTICE.

“ It is said that the Statute does not require the citation of the party accused, or oblige his judges to give him a hearing. Admit it. *Consuetudo vincit legem*. The practice of the University has been otherwise.

“ Humphrey Leech, Chaplain of Christ Church, gave offence in a sermon on Evangelical Counsels, June 27, 1608. He was cited, and appeared before the Vice-Chancellor, who had received a copy of the sermon. Mr. Leech demanded of his judges ‘that they’—his own words—‘*would proceed against me juridically and by way of Articles; so I should know precisely what was the error and falsehood of my doctrine, and they should receive my answer made in form of law. For this hath ever been the custom of proceeding in this University, and in God’s Church.*’ This assertion of his was admitted by his adversaries, but the Vice-Chancellor’s reply was, ‘All’—the sermon—‘is false, scandalous, popish, erroneous.’

“ Thomas Hill, of Hart Hall, in a sermon at St. Mary’s, May 24, 1631, treated of prohibited matters. *He was convented* before the Vice-Chancellor.

“ Thomas Ford, of Magdalen Hall, June 12, 1631, offended in like manner. His sermon was demanded, and after some difficulty obtained, and himself *was summoned to appear*.

“ Jan. 30, 1637, Richard Kilbye, of Lincoln, preached at St. Mary’s. His sermon was demanded, *his error was shewn him on his appearance*. He recanted.

“ April 6, 1638, Gaspar Mayne, of Christ Church, *appeared* before the Vice-Chancellor and others, *to answer for himself*; having offended in a sermon.

“ September 6, 1640, John Johnson, of Magdalen, preached in St. Mary’s, and gave offence. *He was convented* before the authorities, and submitted.

“ On the same day, Henry Wilkinson, of Magdalen Hall, gave offence. He was cited, but refusing to acknowledge his fault, *was suspended* till he should recant.

“ Oxford, June 7, 1843.”

Now it is remarkable that the four last cases were *after* the royal confirmation of the Book of Statutes. So that this statute must have been in the Vice-Chancellor’s mind, at least, when these cases

came on; and very probably this was the statute on which he proceeded, or designed to proceed, if necessary. And in these four cases, as in all the rest, it is expressly said that the accused party *appeared*, or was *cited* at least. It is alleged we hear that this statute does not specify that the party shall appear, whereas a former statute, whose place this supplies, did specify it; and the omission seems intentional. But observe; the statute in its present shape was in force in 1636; and in the years 1637, 1638, 1640, we read of four preachers cited by the Vice-Chancellor; quite sufficient to show that, however the act is worded, a citation was still considered necessary and taken for granted. In fact in those days nobody dreamt of a trial without the presence of the accused. But after all it is implied in the statute before us that the preacher is present at the opening of the trial. He must deliver his sermon upon oath; and that process requires the presence of either himself or his proctor.

There are a few traditionary accounts of sermons suspected and censured; and that without much formality, as would appear. But, as it happens, they tell most decidedly against the mode of proceeding adopted in the present instance. It is quite unnecessary to pronounce an opinion either as to what precise mode was adopted, or as to the propriety of the mode. The most important is the case of Bingham, the celebrated author of the "*Christian Antiquities*," who when a young man preached a sermon on the doctrine of the Trinity in the University pulpit, for which he was censured by the authorities. He calls it a censure, and seems to have felt it very strongly; so much so, that he gave up his fellowship and left Oxford. He also mentions as a great hardship that he was censured without a hearing, which some people will think a very valuable precedent. But what sort of a censure was it? By six doctors? So far from this being the statute put in force on that occasion, the authorities who censured him did not send for the sermon, and most pertinaciously refused to see either it or the writer, when he besought that he might send it. Bingham evidently appealed to this statute as a legal protection against an informal censure. He thrust his sermon, the *corpus delicti* people talk about, upon them; and they dreaded the sight of it, because, whether they were right or wrong, they had no taste for a judicial controversy with a person of Bingham's extraordinary learning. So some of them—nobody can now say who, but Bingham calls them "those worthy gentlemen"—perhaps the Heads of Houses—passed and put about a sort of private resolution, charging Bingham "with having asserted doctrines false, impious and heretical, contrary and dissonant to those of the Catholic Church." These are the words, and are wholly dif-

ferent, both in letter, and most remarkably in spirit, from the words employed in the six doctors' statute, which are "contrary and dissonant to the doctrine and discipline of the Church of England as by law established." Bingham's censurers did not take their ground on the doctrine and discipline of the Church of England as by law established, any more than the "six doctors" take their ground on the Catholic Church. The censure, therefore, had all the weight that the names of some "worthy gentlemen" could give it, and no more. Bingham never retracted a syllable, and was not suspended. Of course there is no record of what was done in the University books, any more than there is of common room conversations, or of declarations signed by resident members of convocation. The censure then being worth just as much as the signatures were worth individually, it had no great weight in the country. Bingham was presented to a living immediately on resigning his fellowship, and within seven months of the "censure" was explaining and defending himself in a visitation sermon at Winchester; which opportunity and countenance was afforded him again the following year. All these sermons are published in Bingham's works, with prefaces alluding to the "censure" and controversy.

There are two other cases existing in no record, but only remembered and talked of. A country clergyman taking his turn at St. Mary's, not having a sermon of his own ready, applied to a clerical neighbour, who freely offered him the choice of his store. The first one that turned up was superscribed as having been preached at two visitations. This seemed a sufficient warrant for its orthodoxy, and it was immediately selected for the honour of a third exhibition in St. Mary's. After the sermon, it and *the preacher* were sent for. At the Vice-Chancellor's, he found Dr. Randolph, Regius Professor of Divinity, who had made the complaint, and several others. Dr. Randolph told the preacher he had been preaching heresy, whereupon the man at once confessed his ignorance, and related how he had come by the sermon. The Regius Professor then extracted out of it a set of propositions, and wrote under them a form of recantation, which he handed with pen and ink to the clergyman, who signed it at once; and Dr. Randolph closed the proceedings with putting the sermon into the fire. Now in this case the clergyman was sent for and appeared; certain propositions were extracted from his sermon, and declared to be erroneous; and he had the opportunity of making his explanation, such as it was. As far as we know, there exists no record of the proceedings, which, on the preacher's ready submission, it was not thought necessary to invest with a formal character. The preacher was doubtless *cited* under the statute

before us, but he could not be said to be *tried* by this statute, because he pleaded guilty,—not merely to the sermon, but also the heretical character of the sermon,—and therefore was not tried at all. If the affair had proceeded to a trial, Dr. Randolph would have had no objection, it appears, to confront the accused. There is another story so similar to the above, that it must be only another version of the same incident.

Let our readers now turn back and read once more this celebrated statute, destined under the auspices of the Vice-Chancellor and his six doctors, to ride over Magna Charta, ten thousand acts of parliament, and all law, human and divine. He will observe that it refers to two classes of offences; the first, saying anything in the pulpit contrary to the doctrine and discipline of the Church of England; the second, saying anything in the pulpit calculated to stir up sedition in the University. Evidently both offences are to be tried in the same way, with the same processes, except where a difference is expressed. If the Vice-Chancellor must try the one case in court, he must try the other in court. If he may refuse sight of the charge, opportunity of reply, open court, assistance of counsel, specific judgment, &c. &c. in the one case, he may also in the other. The words down to “thoroughly examined according to law and custom,” belong to both cases. Only where the offence seems of a theological character, the Vice-Chancellor must have six advisers; where only of a social character, one adviser: and the punishment in the former case is suspension; in the latter fine or imprisonment. These specified differences are the only differences; so that if the Vice-Chancellor may ask half a dozen of his friends to meet an evening or two at his house, and talk over last Sunday’s sermon, and then forthwith suspend the preacher without further form, or telling the why or the wherefore; it is evident that he may also ask a single friend to a tête-à-tête, talk over the sermon, and send the preacher to prison with equal absence of ceremony. Let us see then how this branch of the statute works under the notable interpretation of the present Vice-Chancellor. Let us suppose parties are running rather high in the University, and people are getting earnest, practical, and rather rough, as was the case in fact when the statute received the royal sanction, A. D. 1636. Suppose them forming clubs, standing committees, periodical meetings, and so forth. Things are ripening fast towards such a result, and with a little more provocation, such as has been lately so judiciously applied, may perhaps ripen faster still. What we are describing may possibly occur before Dr. Wynter has ceased to be Vice-Chancellor. A simple country clergyman, of decided opinions, indeed, but very little acquainted with what is going on at Oxford, and with the many second

intentions which party spirit may give to the most abstract and innoxious terms, comes up to take his turn at St. Mary's, and, with child-like simplicity, uses two or three words of fire in his sermon, giving thereby a factious character to the whole of an otherwise harmless discourse. Dr. Wynter does not like the sermon, but thinks little more of it, till, in the course of the following day, two or three other similar occurrences, perhaps a difference at the Hebdomadal Board, have equally contributed to ruffle his equanimity. Being alone on Monday evening, he sends over the way to the Pastoral Professor to relieve his solitude, and pours out his complaints over a cup of tea into a friendly bosom. "That was a very mischievous sermon we had in the afternoon, Ogilvie."—"Indeed I quite agree with you."—"I've a great mind to make an example of the man, and send for his sermon."—"That rests with you, Mr. Vice-Chancellor; but if you are in earnest, you must make haste, as he may be returning to the country immediately."—"Well, I really will send for his sermon." So saying, Dr. Wynter writes a note to Mr. So-and-So, requesting a sight of his sermon, rings the bell, and gives directions that if John succeeds in delivering the note, and procuring the sermon, he is to call at Dr. Bliss on his way back, and request him to bring his books. The preacher, who had no idea in the world but that his sermon was of the most pacific character, is enjoying himself in the common room of his college among his old friends. He receives the summons, is rather troubled, retires to his room, encloses the sermon to the Vice-Chancellor, with a note expressive of the innocence of his intentions, and his readiness to explain any thing which may seem at variance with them, returns to his friends, tells them what has happened, receives their consolations, with a little quizzing for the distinction he is about to acquire, and soon goes to bed. Meantime the sermon is produced in court, i. e. spread out on the tea-table between Drs. Wynter and Ogilvie. While it is deciphered, they sustain an amebian commentary on its style, and tone, and animus, taking care to revenge themselves on the writer for the weariness of hearing it over again, and strengthening, as they proceed, in the resolution, that they will not take this trouble for nothing. They are confirmed in their first impression, and Dr. Bliss, who sits with the register before him at a side table, makes an entry of the sending for the sermon, its arrival, the opening and progress of the inquiry, and the final sentence. The three gossip a little, and part. Early next morning men break into the country clergyman's room, drag him out of bed, answer no questions, but convey him to Oxford jail, where all the information he can gain from the jailor or any body else is, that he is to lie there without

remedy for a twelvemonth, and to the day of his death he is never once to be told what he was charged with. Such is the power which Dr. Wynter claims by his present interpretation of this statute; such is the force and consequence of his proceedings in the case of Dr. Pusey. He has precisely the same power, by the mere breath of his mouth, to send any preacher he chooses, without a hearing, to jail for a twelvemonth, as he has to suspend Dr. Pusey, without a hearing, for two years.

Read the statute again. "The Vice-Chancellor, *or* his deputy." Whatever power is given to the Vice-Chancellor is given to his Deputy. And who is this Deputy? The Deputy, commonly called the Assessor, is the usually acting judge in the Vice-Chancellor's Court. He must be a Doctor or Bachelor of Law; never is a clergyman, at least within our knowledge; is appointed by the Vice-Chancellor; and, once appointed, seems to continue in the office a long time. Dr. Macbride was Assessor many years. There is no restriction as to age, and the present Assessor or Deputy is a Fellow of All-Souls, a very excellent, well-informed and amiable young gentleman, but by no means the person to whom one would expect to see confided power in ecclesiastical affairs greater than ever Bishop, Patriarch, or Pope, or King of England, ever dreamt of desiring. If the Vice-Chancellor is right in his view of this statute, the Honourable Mr. Kenyon may send for any sermon preached in St. Mary's, e. g. by the Warden of Wadham, ask a party of friends to his rooms at All-Souls (and he may easily muster half a dozen D.D.'s in his acquaintance), talk over the sermon, and whatever other subject he pleases, and send a civil note to the Warden next morning, informing him that he is suspended for the rest of his life from preaching in the University pulpit, or in any other pulpit within the precincts of the University. Of course such an idea is extravagant, even beyond extravagance, but that is Dr. Wynter's position. On the other hand, if the trial is to be a *bonâ fide* trial, conducted in open court, and with all the usual processes, it is evident the Assessor will do quite as well as his superior, for the accused will be brought under the LAW, not the *man*, and the words "The Vice-Chancellor or his Deputy" become very intelligible.

Dr. Wynter with unexampled hardihood has staked himself against all mankind, or at least all the civilized portion of it. If he is right, all the rest of the world is wrong. If he can inflict a heavy legal penalty, implying that some very serious offence has been committed, without a trial in open court, or any hearing at all, without any specific accusation, without any specific verdict, and without any security for justice whatever, then every Englishman has been grossly deceived from his very childhood:

then a hundred maxims of justice which are part of our earliest education are false ; then the boast of English liberty is an empty figment ; then the Civil and Canon Law, the only law of a University court, is absolutely obsolete and inapplicable, and the University Statutes are a system beside and contrary to all English law whatever ; then, lastly, a number of very plain and positive precepts of justice in Scripture itself are made void. Dr. Wynter must be a bold man, and conscious of immense, unknown resources, to stand the issue of such a die.

Now, even if we were prepared to admit that this statute was an exception to the rest of the statute book, had no reference to the Vice-Chancellor's court, or to any legal process, and thus was actually, as is pretended, an accidental and anomalous piece of despotism which had crept into the statute book,—what follows ? That it is right to revive a thing so contrary to the every system of law allowed in England,—to the civil law, the canon law, the statute law, and common law of England ? That it is right to revive a statute which there is no certain proof ever was so much as once acted upon, and which it is almost certain has not been acted upon for near two centuries ? That it is right to revive what every born Englishman, not absolutely blinded by prejudice, must, on such a construction of it, consider a monstrous statute, an unnatural and wicked statute ? No, surely not. Law is a sacred thing, but there are considerations which must weigh against the letter of written statutes. There are statutes which change of manners and usages has rendered obsolete and ridiculous to such an extent, that it is not even thought worth while to repeal them, and they remain as curiosities on the statute book, in the confidence that there do not exist men in the nation so absurdly and gratuitously wicked as to use them for the oppression of their neighbours. But there are statutes or may be statutes of an obsolete character, yet not purely ridiculous, because they may seriously concern individuals ; such, *e.g.*, as the statute under consideration, supposing we adopted the Vice-Chancellor's construction of it. Now in the revival and enforcement of such relics of ancient legislation, an important distinction is drawn. If the operation of the revived statute is only absurdly merciful or beneficial to certain individuals, it is freely allowed ; for mercy, which sanctions many departures from law, will of course sanction a mere stretch of law. But the case is far otherwise when the statute is absurdly unjust and cruel. Some years since a man committed a dreadful murder, and when at the bar, by the advice of a clever attorney, challenged the brother of the murdered person to single combat in proof of his innocence ; the stripling declined to encounter the full grown ruffian, and the latter

escaped, for trial by wager was found to exist in the statute book. The plea was allowed, because it was merciful, though to an undoubted murderer. Take the other case. Suppose that some lord of a manor discovered that his charter or his title-deeds gave him the right to maintain a gallows in his manor, to summon whenever he thought fit a jury of his domestics into his study, and on their verdict to send out his bailiffs and hang up any troublesome neighbour, would the right be allowed a day after it was discovered? Would he himself even escape condign punishment in one shape or another for his first judicial murder? Or, supposing the statute of trial by wager had been revived by some wrongheaded person, not to save the life of a murderer, but to procure the death of some unpopular character, whom it was found otherwise impossible to prove guilty, would the nation have suffered the latter to be sacrificed to law and passion? Would the nation tolerate the application of an obsolete *ordeal*, revived merely as the means of persecuting some poor helpless creature? No. England allows a profusion and waste of mercy, but no injustice, no cruelty, even though the letter of the law might be pleaded for it. And if the matter were fairly brought before the British public, are we quite sure they would tolerate trial by Six Doctors in the dark, any more than trial by wager, or the ordeal of walking barefoot and blindfold through six red-hot ploughshares?

It is a very old observation, but one which strikingly bears on the instance before us, that there are none who push the letter of an institution to such extremes, as those who do not feel or even profess any congeniality with its spirit, and are quite prepared to see it wholly abolished. They dislike it, and therefore do not enter into its spirit, and therefore do not understand its letter, and therefore come to think it letter, letter of an irrational sort, and nothing more. Now, it is our full conviction, that there are people in Oxford, and those no little people, who would rejoice to see the Oxford Statute Book utterly abolished the next session of parliament, and its place supplied by an Educational Act, putting the Universities under a committee composed of members of the Privy Council and heads of Houses, with just a few professors to keep them in countenance, and to take away the family look of the affair. There would be one right honourable Dissenter at least in such a board; and theology would be left to a subordinate board or sub-committee, such as that which the new Theological Statute provided last year; which, indeed, with a little alteration would do for the purpose. Nothing, of course, would tend so much to this conclusion as disgusting all parties, if possible, with the University code, and bringing it to be

viewed as something really obsolete, and really impossible to be worked with equity. "Why you object yourselves to the statutes and won't stand by them," will be the very first answer made to us next year, or the year after, if we express any uneasiness at seeing the statutes overhauled by the House of Commons. There is a very evident wish to bring the statutes to a practical *reductio ad absurdum* with this rather treacherous view; and some of these people think doubtless we are fighting their battle. No such thing. They do not observe the statutes or understand them.

The Vice-Chancellor's court, as an Ecclesiastical Court, must be considered a legitimate voice and exponent of the Church Catholic. There may be difficulties in the way of such a consideration, as undoubtedly there are in the way of considering the Church of England, or any other Church, a true branch of the Church catholic. The difficulties in this particular case have been felt,—more felt than recognized, as appears from the unwillingness Oxford has shown these two centuries, though very willing and often provoked, to speak authoritatively as an organ of the Church. But, as we have said, the smallest fragment of sacred jurisdiction is of the same nature as the whole. To members of the University of Oxford, she is herself the voice of the Church. Popes have granted this authority and kings have not taken it away; yet law is necessary to the rightful exercise and assertion of so awful a power. *With* law the judgments of the humblest tribunal are valid, *without* law the decrees of assembled thousands are nothing. When we enter a Christian court, we enter a Presence more awful than that of man. We recognize the Presence of Him who is the Law in the hearts of Christians, who is inwardly perfecting the fabric of the whole Church, working order out of disorder, bringing holy words to perpetual remembrance and developing them to their full meaning, bonding the whole Church with catholic doctrine and catholic usages and maxims, recording holy precedents, and cleansing from sin and error the mystical body of Christ. We enter a Presence in which to speak false, is to lie to the Holy Spirit. Thus it was that Christian courts were formerly held in Churches, law being considered a sacred office. These statutes mention the northern chapel of St. Mary's, still called the Law School, as the place where the court should be held, though the Vice-Chancellor has the power of appointing another place.

From this view of Christian law, as a Divine manifestation, it is most painful, because a sort of unavoidable irreverence, to turn to the recent strange travestie. A voice and exponent of the Church Catholic! The Church speaking and declaring

herself! The collected wisdom of Christendom brought to bear on the emergencies of this distant land! What are we to expect? What would the reputation of English law and order, and the learning of Oxford, justify one in expecting? Where is the awful tribunal? Where are the judges on whom so great a burden is laid? Where are the men learned in the law? Where the breathless throng? Call at that door—ring at the bell—ask for Dr. Wynter—follow the servant, enter the room: there are half a dozen gentlemen talking much like any other half dozen gentlemen, exceedingly at their ease; no listeners; no painful presence of accused: a manuscript is on the table, overlaid, perhaps, with letters and newspapers. The conversation is not severe; extraneous topics are not excluded. What do I hear? Gossip? The news of the day? Amiable domestic inquiries? There are disagreements—not of a sort to disturb friendship or social comfort—not likely to break unity of purpose. One of them seems to be gathering himself up for a speech—a judgment, at last! Does he quote precedent, maxims, *dicta*, rules of law, canons? No: expressions of undefined dislike, texts of Scripture, Prayer-Book, and Homily, in *his own* sense of them—rumours, probable consequences, necessities—nothing more. The others more or less chime in with the speaker; all seems to come from themselves, and end with themselves; there is a beginning and an end, as of a profane epic or a dinner-party. Is this a Christian court? Is this a channel of grace transmitting to us the mind of the Church? Is this the Church catholic in judgment? Is this a genuine, healthy vein or nerve of that body? Let posterity, let the Church catholic, reply.

We must beg our reader's pardon if through a mere slip of the pen we sometimes appear to assume the existence of this non-entity, "a board of six doctors" in that sense in which it is used by the Vice-Chancellor, and in which the credulous vulgar have been content to receive it on his authority. A board of this secret, arbitrary and irresponsible character is a legal monstrosity, out of the natural order of legal creations, the offspring of ignorance and usurpation. So in law it is nothing. But it is difficult to describe it without appearing to admit that it is something, and has a place in this visible creation. We are obliged to fall into the error of description *per se*, just as Homer did when he attempted to describe a very similar monster of the imagination, a certain unearthly, unnatural being, θεῖον γένος, οὐδ' ἀνθρώπων,—the Chimera, Πρόσθε λέων, ὅπιθεν δὲ δράκων, μέσση δὲ χίμαιρα. The creature was something bold and minacious in front, upreared and μακρὰ βιβάζς, pretending the awful attributes of power, authority, vengeance, and rebuke; behind it was lengthy, dragly, crawly,

insinuating, elusive, broken into joints, slimy, and venomous; the connection between the hind and front, and the substance of the whole animal, was a something hazy, abortional, chaotic, indescribable, and scarcely within the ken of human vision,—Chimera proper, the “Board of Six Doctors.”

Law is a region full of danger to the morality of those who are not thoroughly and professionally versed in it. The best and wisest men have need of this caution, that when they entangle themselves in legal forms and statutes, they had need not only have their wits about them, but their consciences also more than usually alive. They are as likely to injure as to be injured; so much so, that whereas it is said, a man who is his own lawyer has a fool for his client, we think he is very likely to have a knave also. The whole region is strange; conscience has to see things through a medium with whose hues and laws of refraction it is utterly unacquainted. There is, moreover, all the greater need of caution, from the circumstance that injustice and cruelty under the cloke of law are amongst the most hateful forms of evil in this evil world. Sycophancy, the malice of informers, the trade of pettifogging, the vice of litigiousness, the tyranny of corrupt legislation, are amongst things loathsome and detested. A man who does wrong on his own account seems to brave the consequences, does harm to no cause and risks no credit but his own; but the man who does wrong under the imagination that law can be turned into wrong, risks the credit and dignity of that which is intrinsically great and noble. When we hear of any one doing what is really contrary to the principles of natural justice, because some accident of law allows him, we are reminded of those wretched people, who say to themselves they will do all that God commands them, and abstain from all that God forbids them, and who hope to be saved thereby; but who have so slavishly studied the letter of that law, that when accident seems to throw them on their own guidance, they are found without a law within.

The Vice-Chancellor has revived an obsolete statute, or at least he has acted on an obsolete statute as far as his power of understanding it, and his views of justice and convenience would allow. Well, our opponents say, you are surely the last people to quarrel with a thing for being obsolete. You ought to like the statute the better for being a piece of antiquity, and conceived in rather a middle-age spirit. A few words then on this point. Providence has purposes of the highest utility which are specially furthered by the intercourse of different peoples, different manners and customs, different modes of thought and action, and above all different ages. As “one day telleth another,” so one age telleth another the glory of God. A generation or a people,

wrapt in itself, feeding on its own ideas, seeing only its own example, measuring itself by itself, settling on its lees, is sure to deteriorate. It corrupts and decays without chance of renewal. The soil is exhausted by the perpetual sameness of the crop. The blood is vitiated by the multiplied indoubling of ill-tendencies. The cure is to be found in the commerce of nations, the transplanting of races, in the diffusion of knowledge and customs, in the circulation of ideas, and the mutual borrowing of the gifts of Providence, intellectual as well as material. We learn this from one nation, and that from another, and enlarge our notions of human possibility. Nay, we apprehend more our own order of things from seeing others. The author of the *Principia* prepares the student for a contemplation of the actual law of attraction that governs our system, by making him master first the working of various other conceivable laws of attraction. Now not the least salutary, freshening, and vivifying intercourse is that which history creates between ages long apart. Be the surface ever so dry, we may dig through centuries and find water; we may ever find in that gulf something grander and nobler, something more true and real, something more faithful, something more graceful and romantic, something sterner and severer, something holier and purer, something wiser and profounder, than what our own generation affords; for we seem to be witnessing the end of things, and to be put here by Providence to make new beginnings. Now the right use of a different era and a different clime is a matter of the highest skill. It is a part of the Communion of Saints, which is an operation of the Holy Spirit. Therefore none but Christians have the secret clue through the labyrinth of ages. We may as well think that roaming through foreign countries is a royal road to wisdom and virtue, as the study of history;—as well think, in our particular case, a love of continental manners a necessarily good sign as an admiration of antiquity. Even to cling to an ancient institution and cherish it in that particular form and condition in which we find it, may be a vicious narrow-mindedness—a mere linking of the soul with decay, and choosing our portion with corruption. But it is scarcely possible to avoid error when we suddenly and arbitrarily pitch upon some very distant system as our model; for then the mind, released from duty, and unfettered by custom, may pick and choose at pleasure in the new field over which it roams; it feels freer than becomes our sad and perilous state, and appropriates what is pleasing and congenial, rather than what is good and wholesome.

Hence it is that the very same process, the intercourse and admixture of various schools and conditions of humanity, which knowingly and discreetly conducted will bring to the highest

human excellence the stock of virtue, on the other hand, may lead, and continually does lead, to the worst possible corruptions and the most absurd extravagances. A man half this and half the other runs risk of being a mere deformity; nay, such he will inevitably be, unless there be in him that principle of life and order which assimilates and harmonizes the most discordant elements. Rash and adventitious mixtures produce only ridiculous mongrels and loathsome abortions. An Italian proverb says "*Un Inglese Italianizzato è un diavolo incarnato*;" a bloated city alderman in a Highland kilt and tartan is a similar though more simply ridiculous mixture. So, again, if you wish to see a form of humanity inexpressibly and incomparably odious, take a half-dissenting manufacturing aristocrat, and give him a taste for baronial pomp and feudal despotism—heaven and earth will abhor the compound. Now the instance before us is one of this sort. A statute, breathing throughout the medieval spirit, with every word taken from the ancient civil law, and supposing that law to be alive and in full operation, supposing also the existence of a numerous body of professed civilians and canonists in the University, and even every clergyman to be more or less instructed in those branches of law, supposing also a system of continual public formalities, such as we can hardly conceive—such a statute has been revived, yes, revived and adapted to modern uses—the letter revived, but as the spirit had fled, the spirit of the nineteenth century was substituted, comfort, snugness and exclusiveness; a party of gentlemen invited to talk over the affair in a private parlour, the judge of heresy in an easy chair; the assessors on ottomans; open court being a tea table; the law and precedents of the court being the casual and discordant light of their unassisted understandings; the defendant's counsel being the precarious mercies of the court; the accuser being one of the judges; the public, the University, the church, the whole army of Christendom, being represented by the occasional presence of John the footman, i. e. to answer the bell and convey threatening messages or a sentence of suspension to the accused, as the gentlemen may think most likely to answer their purpose. Such is the modern revival of an ancient statute; yes, as the form of an ancient chapel applied to a conservatory; a Gothic niche occupied by a China vase, a sepulchral recess adapted to a fire-place.

There is a remarkable instance in the Bible of an ancient statute revived after ages of apparent desuetude. The manner of doing it is not commended to our imitation, though in one respect it was less exceptionable than the late revival at Oxford; for the formalities of an open court seem to have been strictly pursued. The statute is found by comparing Ex. xxii. 28, and Lev. xxiv.

14—16. It was revived about six centuries after, when the authorities of Jezreel, after the receipt of private letters from the chief adviser of the crown, felt an extraordinary impulse of zeal for the honour of God and their king, which ended, as is well known, in the death of Naboth, and the addition of his vineyard to the royal garden. There is another example of a revival, which seems to dictate caution at least, if not fear and trembling in the handling of things ancient and sacred, both of which the statute before us undoubtedly is. Belshazzar revived the use of the gold and silver vessels which his father had taken out of the temple; he set up the candlesticks that had been before the oracle, and then, with his princes, his wives, and his concubines, drank wine out of the holy vessels—the proceeding being, it appears, of a half-sacred, half-convivial character, according to the religious fashion of the day. It was, indeed, a revival: oracular virtue still clung to the golden candlesticks, and ere long over them was written the blasphemer's doom.

Not the least startling part of this affair is the open slight exhibited to some of the most familiar texts of Holy Writ. Whether it be that they so chime in with one's natural sense of justice, or from the intense personal interest every reader takes in the narration, it is a fact that there are no passages so at hand and on the lips, none which it is so dangerous to disregard, as the pleas of natural and civil law, which providentially interposed between St. Paul and the blind fury of his enemies. St. Paul was a citizen of the empire, and as such he repeatedly claimed the benefit of the imperial laws in favour of citizens; he did so against his own countrymen—though *their* laws, rightly administered, would have stood him in equal stead; but their law was dead, so he appealed to the living system, he appealed to his adopted state against his more natural one. Now the Church stands in the place of that empire; it is that empire Christianized; it maintains that very same law which St. Paul so gladly and successfully appealed to, and which was, under God, his only safe passport from city to city. The Church, on that precedent, has since continually appealed to that law against military despotism, and barbarous violence, and lawless conspiracies in every shape, against mobs, against emperors, against barons, against kings. The code has become its own; and now the law of the Twelve Tables is administered from the thrones of the Twelve Apostles.

Therefore as did St. Paul, so now do we, in the name of Dr. Pusey, appeal to the Roman, that is the Christian law, for Dr. Pusey also is a citizen of no mean city. Let us hear St. Paul's pleas. "But St. Paul said unto them, They have beaten us openly uncondemned, being Romans, and have cast us into

prison; and now do they thrust us out privily? nay verily; but let them come themselves and fetch us out. And the sergeants told these words unto the magistrates: and they feared when they heard that they were Romans. And they came and besought them, and brought them out, and desired them to depart out of the city.”—Acts, xvi. 37—39. In this case a public and disgraceful punishment had been summarily inflicted upon them uncon-
demned, i. e. without a trial, or a legal sentence, *contra jus gentium et Romanorum*, as says a commentator, cited by Pole. For the benefit of the Vice-Chancellor and also of Dr. Pusey, who very possibly find a precedent in St. Paul’s conduct on this occasion, we are tempted to quote what follows in Pole; and as the male part of our readers can easily get at a “Synopsis,” but ladies cannot generally read Latin and Greek, we must be allowed to translate.

“On the subject of the law of the nations, hear what Hesiod says, ‘Nor sentence pass, till thou both sides hast heard;’ and Seneca in his *Medea*,

‘He who declines the other side to hear,
Though fair his sentence is himself unfair.’

“Cicero witnesses to the Roman law: ‘With a trial, many may be acquitted; without a trial, no one can be found guilty.’—‘Unheard, and without opportunity of defence, they had perished, as it were, innocent.’*—‘We must, as the custom of law requires, give a hearing even to the man we hate, and know to have injured us.’ So also Tertullian, deeply versed in the Roman law, in his *Apology*: ‘If they condemn any one without a hearing, they will deserve to be stigmatized with injustice.’—‘Since the law does not allow men to be condemned without any defence or hearing.’ Apuleius (9. Miles): ‘And that no one should suffer what amounts to savage barbarity, and outrageous tyranny, a condemnation without a hearing.’ Salvianus (fine lib. 8): ‘But in that state these were the kindnesses not so much of individuals as of the laws, for the laws of the Twelve Tables forbid that any one should be put to death without a trial.’ * * * * ‘But let them come themselves and fetch us out.’ By way of acknowledgment of their own injustice and our innocence, Paul rightly requires that they should wipe away his public disgrace with a public apology, that the Gospel may not incur the imputation of its preachers being scandalous characters. For the sake of appearances, therefore, and to stop the mouths of gainsayers, it is proper to assume manly spirit and indignation, and combine the wisdom of the serpent with the simplicity of the dove.”

The reference to the regular legal tribunal, with which the “town clerk” of Ephesus quieted and dismissed the tumultuous

* In the affair of Sthenius, whom, on his flight from Sicily, Verres proceeded against and condemned, (Cic. Ver. ii. 2,) we see how contrary it was to Roman law for a citizen to be tried in his absence. A sentence in the absence of the accused was invalid.

assembly, bears on the present point, though the plea was used not by, but for St. Paul. "Wherefore if Demetrius and the craftsmen that are with him, have a matter (that is, a legal charge) against any man, the law is open, or as the margin translates it, '*the court days are kept,*' (*Dies fasti*, or *Dies juridici*, in the Oxford Statutes,) and there are deputies, (i. e. the proconsul and his legate or usual locum tenens). *Let them implead one another.*" And be it observed, that neither that legate nor the proconsul, nor yet the emperor himself, could condemn any one without a legal hearing (*cognitio*). The town clerk proceeds to remind the multitude that a regular deliberate assembly was the proper place to discuss such questions as were not of a judicial character.

St. Paul profitably pleaded his rank as a citizen at every stage of his last persecution, from the moment that he was rescued from the murderous populace to his final appearance before Cæsar's judgment seat. When he says, "Is it lawful for you to scourge a man that is a Roman and uncondemned, i. e. without a trial?" xxii. 25, Pole comments upon it, "To scourge a Roman" was contrary to the Porcian and Sempronian laws; to scourge a man "uncondemned," i. e. without a regular trial, as Beza translates it, was contrary to the laws both of Rome and of all other civilized nations, as we have shown above, at Acts, xvi. 37. The immediate effect of St. Paul's assertion of his rights was, that he had a regular trial; "On the morrow, because he would have known the certainty wherefore he was accused of the Jews, he loosed him from his bands, and commanded the Chief Priests and all their council to appear, and brought Paul down, and set him before them."

The brief proceedings of this trial are most interesting. It was a conflict of Jewish fanaticism and brutality, with Roman law and predominant Roman power. The judge was Roman, the court Roman, the law Roman, and the prisoner a Roman, though a Jew also. The accusers and would-be judges were Jews. St. Paul's opening plea of not guilty was answered with a blow on the mouth—the High Priest not wishing to hear him on his defence. His answer was an angry one; but when we remember who St. Paul was, Who brought him before kings and rulers, and Who had promised to assist His disciples at such emergencies, we cannot but regard these words as the words of the Holy Spirit. They are awful words. Let all who are charged with the righteous administration of law ponder over them: "Sittest thou to judge me after the law, and commandest me to be smitten contrary to the law?" St. Paul now, with an allowable discretion, availed himself of the divided state of the Council; and the only present result of the trial was a disclosure of their mutual animosities; a result

which, though evidently overruled on this occasion to the best of purposes, we have lately heard alleged as an evil, the prospect of which would justify refusing a trial in open court to any person in St. Paul's situation, *i. e.* accused of novel opinions.

The sitting of the court being thus abruptly terminated through an open rupture between the judges, the hostile party, now more alive than ever to the difficulties attending a judicial public investigation, attempted to compass their end by a quieter and more summary process—one which should save the Jewish public from inconvenience, and prevent a hearing. This design was providentially defeated, and St. Paul was removed from those dangerous precincts to the court of a superior officer, Felix the governor, with the prudent warning that the prisoner was a Roman citizen. The Roman law again comes out here: "I will hear thee," said he, "when thine accusers are also come:" xxiii. 35.

Five days after his accusers did come, and after their repeated disappointments seem to have been prepared to conduct their cause with a little more regard to decency than before. Accordingly, they had retained this time the services of an accomplished member of the Roman bar, named Tertullus; whom they chose, as that first-rate civilian, Grotius observes, because he must know the Latin tongue, and the technicalities of the Roman courts of law (*actionum formulas*) better than any Jew or Greek born. Tertullus, on being called upon, exhibited the charges of the High Priest and Elders, made a set speech, and produced his witnesses, who then gave their testimony. St. Paul replied in a speech of an apologetical character, giving a very clear and simple account of his proceedings, pointing out the absence of the witnesses necessary to support the first charge brought against him, the want of any other definite charge, and reminding the court also of the words in his previous defence which had produced a schism between his judges. The governor adjourned the court for further evidence, but for various reasons neglected to bring him to his trial again, and left him to his successor, Festus. The Jews took advantage of a new comer to repeat their former designs; but here again St. Paul's privileges, and the Roman law, baffled them; definite charges—defence—hearing—accused and accuser face to face, and the other odious formalities. Festus appearing to waver, or at least proposing a trial at Jerusalem, St. Paul made a sort of conditional appeal to Cæsar, which Festus, after consulting his council or assessors sitting with him in the tribunal (certainly not the Chief Priest and Elders, even if they were present) readily accepted, possibly to save himself a disagreeable responsibility. The apostle had however one hearing after this, apparently for the purpose of enabling Festus to state with greater certainty the

nature of the charge on which he was to be sent to Rome. On this occasion Festus used several times the language of the Roman law. "To whom I answered, It is not the manner of the Romans to deliver any man to die, before that he which is accused have the accusers face to face, and have license to answer for himself concerning the crime laid against him : " xxv. 16. " It is not the manner of the Romans," the commentators remark, " nor of the Jews, nor of other nations—for it is a law of nature and of all nations—to surrender, as a compliance to any party, any one to death, (or to any other serious punishment, we venture to add,) without a regular trial : " and Grotius refers to the Digest in support of this comment. The last words of the text may be paraphrased, " and have every facility allowed him (*e. g.* time for preparation, consultation with friends and lawyers) for defending himself from the particular charge brought against him."

The whole of this history breathes the spirit of the Roman law, and contains numberless Greek renderings of the very terms, many more than we have noticed: Grotius refers continually to the appropriate head in his own edition of the Digest. The topic deserves a much larger consideration than we have given it. We will only add that it is no little proof of the estimation in which that law was held for fairness, that the Jews declined to send an accusation after St. Paul to Rome, thinking probably that in that place their former vague hearsay charges, or rather suspicions, unsupported now by popular clamour, would have very little weight. St. Paul was kept in no very severe state of confinement for two years, and is supposed then to have been released. According to the Roman law, he would, as a prisoner on appeal, have a hearing at the end of the first year. However this was, he says himself that he was once acquitted, though even Nero, as is probable, was his judge.

The Roman law was, indeed, on the greatest of human occasions, weak against the wickedness of man, against the accumulated guilt of ages, and of all mankind. It was weak because its administrator was cowardly. Yet, such was its power even then, that its administrator, the actual ruler of the people, was forced to admit the sentence illegal, and solemnly though vainly declare himself irresponsible—" I am innocent of the blood of this just person ; see ye to it." In like manner in after times, when the whole executive power of the empire was brought to bear against the Church, the Church did still appeal to that law for protection ; and whenever law was duly enforced, it found no better opportunity of proclaiming the truths and exhibiting the spirit of the Gospel than the courts of law. Nor could the Church be effectually persecuted without putting that law in abeyance, and making a special exception against Christians. Thus it is that

Tertullian opens his Apology with a solemn appeal to the law, excusing his work on the ground that whereas the Roman authorities heard all other accused persons in open court, and punished none uncondemned, they refused to listen to Christians, proceeded against them by secret methods, and crushed them with private condemnations. So Tertullian asks no favour from them, but only the fairness of their own law. When Dr. Pusey, a few months since, edited the Apology, he could little foresee how soon he might use in his own cause the words of the opening sentence—words so remarkable as to make a suitable motto to his Sermon:—

“If it is not your pleasure, chiefs of the Roman empire, presiding as you do for the administration of justice, as it were on the airy and topmost summit of the state, to look openly about you, and publicly examine what truth and reality there is in the cause of the Christians; if, bound as you are by your office to a diligent discharge of justice, on this one subject alone you are either afraid or ashamed to inquire; if, lastly, as has just now happened, the existing animosity against this sect, by the unwarrantable use of private judgments (*domesticis judiciis*), puts an obstacle in the way of legal defence; may truth be allowed to reach your ears even by the secret way of silent writings. She asks no favour for her cause, because she feels no wonder at her condition. She knows that she lives a pilgrim upon earth, and that among strangers she may expect to find foes; but that her birth, her home, her hope, her favour and her rank are in heaven. One thing, meanwhile, she earnestly desires, that she be not condemned without being known. If she is listened to, what harm is that to the laws, supreme as they are in their own province? (But if people are so absurdly jealous for the power of the laws), surely they will have more reason to boast if the laws condemn the truth, even after a hearing. But they condemn her unheard. Besides the odium of injustice, they will very naturally be suspected of a secret misgiving, and be supposed unwilling to hear that which once heard they will not be able to condemn.”

That the Ecclesiastical Law lost nothing of the fairness of its Roman original in this respect, is abundantly shown by the following very striking collection of extracts:—

“Oxford, June 8, 1843.

“Dr. Pusey has my full authority for saying that he has had no hearing.—*Vice-Chancellor's Message*. —

“*Quæ contra jus fiunt, debent utique pro infectis haberi.*—*Reg. Jur.* lxiv. —

“The sentence of *Suspension* brings the whole proceeding against Dr. Pusey under the rules of the Canon Law—*Soli Clerici non vero laici sunt capaces Suspensionis*.—What are the rules of the Canon Law then in such cases?

"c. ii. Caveant judices Ecclesiæ *ne absente eo cujus causa ventilatur*, sententiam proferant, quia *irrita* erit:—

"c. iv. *Omnia quæ adversus absentes* in omni negotio aut loco aguntur, aut judicantur, omnino evacuentur: quoniam *absentem* nullus addicit, *nec ulla lex damnat*.

"c. v. Non oportet quemquam judicari, vel daminari: priusquam legitimos habeat præsentēs accusatores, *locumque defendendi accipiat ad abluenda crimina*.

"c. xi. *Absente adversario* non audiatur accusator, *nec sententia*, absente alia parte, a iudice dicta *ullam obtineat firmitatem*.

"c. xii. *Revera justus mediator non est*, qui uno litigante, *et altero absente*, amborum emergentes lites decidere non formidat.

"c. xiii. *Absens vero nemo judicetur*: quia et divinæ et humanæ hoc prohibent leges.

"c. xxi. Necessè est *secundum sacrarum Scripturarum documenta, ac secundum justitiæ tramitem et accusatum et accusatorem simul adesse*, et unam partem, quantacunque et qualicunque prædita sit auctoritate, sic prorsus audiri, ut alteri parti nullum præjudicium irrogetur.—Caus. iii. q. 9.

"Quisquis igitur excommunicat, excommunicationem in scriptis proferat, et causam excommunicationis *expresse conscribat, propter quam* excommunicatio proferatur. Exemplum vero hujusmodi Scripturæ teneatur excommunicato tradere infra mensem, si fuerit requisitus, super qua requisitione fieri volumus publicum instrumentum, vel litteras testimoniales confici sigillo authentico consignatas. *Siquis autem hujusmodi constitutionis temerarius extiterit violator, per mensem unum ab ingressu Ecclesiæ et Divinis officiis noverit se suspensum. . . . Et hæc eadem in suspensionis et interdicti sententiis volumus observari.* vi. 5. xi. 1.

"Gl. *Scriptis*. Si proferatur sententia sine Scriptis, tenet sententia: . . . tamen excommunicatio erat *injusta*: ideo punitur excommunicator, ut sequitur.

"Gl. *Expresse*. . . non sufficit dicere, talem Titium causis rationabilibus in his scriptis excommunicamus, sed requiritur quod exprimat causam propter quam illum excommunicat: puta, quia talis fuit contumacia. . . talis recusavit facere tale quid.

"Gl. *Publicum instrumentum*. . . non est de necessitate, sed de consilio.

"Gl. *Observari*. . . proferatur in Scriptis, apponatur causa rationabilis et detur copia.

"Is the Vice-Chancellor's admission consistent with these rules?"

There are certain reasons for perfect publicity common to all tribunals, and common to all the occasions on which they can be appealed to, which are of course the very reasons why those tribunals have always been public, but which happen to be most especially cogent in the present instance. Publicity alone can secure uniformity and stability of judgments. A secret tribunal which gives no reasons for its judgments, or even a judgment at all, but merely punishes, can as it pleases act on one rule one day, and another rule the next; it may use one system of law and interpretation one day, and another the next; it may be strict or lax, cruel or indulgent, tyrannical or gentlemanlike, just as it pleases, with no security whatever to the public that it goes by any equitable or equitable system. It is usually, nay universally, the province and the actual practice of judges in every kind of court to commit themselves to the law, whenever the case requires; when there is a plurality of judges, they severally record the

grounds of their judgments. The law is thus uniform by compulsion; it binds itself, as the Almighty binds himself by His own eternal law of justice. It is a whole, and he is most a judge who most sinks the individual and identifies himself with the whole. The judge only clears the channel of precedent, when any new emergency arises which threatens to choke or divert it. Knowing the weakness of individuals, he steadfastly grasps the canon of law, that traditionary staff and sceptre whereof Homer speaks—

“ νῦν αὖτέ μιν νῖες Ἀχαιῶν
 Ἐν παλάμῃς φορέουσι δικασπόλοι, οἳ τε θέμιστας
 Πρὸς Διὸς εἰρύναται.”

It is evident that publicity is absolutely necessary to this idea of law, as a public, universal system. How is it to be known that a legal process is a branch of the great stock, unless it be visible, and that to the whole world? Every act of the law looks backward and forward; it is under obligation to the past, and should be a benefit to the future; it should both follow precedent and set precedent; it should be a link in that golden chain along which the electric impulses of truth and justice are transmitted from heaven to man. Every act of law is a teaching; it profits the whole at the expense of the offending part. The world, *i. e.*, in our case, the Church, has that interest in every individual that it will deem his loss or hurt a public loss, unless some public lesson is conveyed thereby. Jurisprudence is a positive science; it lays down positions which become the Church's property. It is evident that these considerations apply with an especial force when doctrinal statements are the subject of inquiry; for then the judgments of the court become matters of the most universal interest, *viz.* theological sanctions, in which every soul is concerned.

From these thoughts, which are the thoughts of all who think at all on the subject of law, we turn to the extraordinary tribunal before us. What proof is there, nay, what probability is there, that these seven persons have built their judgment on existing law and precedent? And most certainly they have set none. A distinguished divine has been punished, and the Church is none the wiser. It knows not what for. No warning is given to others, though others are believed to be in equal error. No rule is published for the guidance of people in the most difficult of questions—the reconciling the Church of England with the Church of the Fathers. There is no proof, or even probability, that the judges have agreed, and have all condemned the same passages, or have not condemned one another's judgments, at least, as much as they have condemned the sermon.

But was it ever known before in this or any other country, that a man was publicly punished and his very crime not known? Even

in the most awful judicial murder the world has witnessed, we are told that "the superscription of His accusation was written over" His head, though an attempt was made to slur over the distinct character of the charge by crucifying Him between two thieves. His foes wished the Gentiles to put Him to death without a charge, and were literally obliged to forge a new charge, different from that whereon they had themselves condemned Him, in order to satisfy the forms of Roman law. The superscription of His accusation became, as all false charges ever will become, unwitting witnesses to the truth: the accusers themselves saw it speak, and shrank from its testimony.

There is one court of justice, and one only court that we know of, which is secret and irresponsible: one only Judge, who sits shrouded from human eye, who receives secret accusations, hears causes in secret, cannot be seen listening to pleas and proofs and arguments of defence, records a secret sentence, but administers open punishment. That one only court is the Court of Heaven, that one only Judge is the Omniscient. Take down your Bible, Mr. Vice-Chancellor. Read a chapter which you have but just now heard in your college chapel, Job, xxiii., and honestly ask yourself, as you read, whether you do not stand convicted *læsæ Divinæ Majestatis*, in arrogating to yourself the attribute of Almighty Justice:

"O that I knew where I might find him! that I might come even to his seat! I would order my cause before him, and fill my mouth with arguments. I would know the words which he would answer me, and understand what he would say unto me. Will he plead against me with his great power? No; but he would put strength in me. There the righteous might dispute with him; so should I be delivered for ever from my judge. Behold, I go forward, but he is not there; and backward, but I cannot perceive him: on the left hand, where he doth work, but I cannot behold him: he hideth himself on the right hand, that I cannot see him: but he knoweth the way that I take: when he hath tried me, I shall come forth as gold."

But mark the vast difference between the awful original and your own imitation. Professedly, to the very utmost of your power, to the very letter of your own most erroneous reading of the statute, did you press upon the accused. You denied him the opportunities which not merely the unanimous voice of law and reason commanded, but your own understanding of the statute allowed. Whereas it is said of Him who is the source of mercy as well as justice, "Will He plead against me with His great power? No; but He would put strength in me." The pleas and intercessions of the Spirit within the obedient soul are infinitely above all human advocacy. When you chose to shroud yourself

and your court in inscrutable darkness, what substitute for human pleadings could you give to the accused? What satisfaction could you give to the world that justice was being administered?

We are now compelled to draw to a conclusion. One or two points however we hastily notice. It has been said that Dr. Pusey is now only treated as he and others desired to treat Dr. Hampden in 1836. Is he? We believe that he and his friends urged, among several alternatives, the use of this statute. But did they urge also that in the application of the statute the ordinary course of law, and the principles of justice, should be set aside, and a secret tribunal erected, as it were, on the ruins of the statute? No, they never thought of anything but a fair hearing. True, the Vice-Chancellor, acting by the advice of the Heads of Houses, gave up the idea of a judicial proceeding, and brought before convocation the form of a statute which was directly nothing but a measure of self-preservation and security; and only indirectly a vote of censure. Few people liked the particular plan they proposed. In the pages of this Review it is spoken of with regret as not being a direct theological condemnation. However the plan was open enough, and afforded ample opportunity of defence. Under the circumstances the trial was carried on out of court; and the charges, propositions, defences, pleas, rejoinders, &c. make up a very large book. Dr. Pusey himself was particularly voluminous, specific, exact, and detailed in what he wrote or sanctioned.

With regard to the present affair it has been suggested, on Dr. Pusey's side, that the Vice-Chancellor's whole proceeding, as well as the statute itself, is nullified by the Church Discipline Act, the twenty-third section of which declares: "And be it enacted, that no criminal suit or proceeding against a clerk in holy orders of the united Church of England and Ireland for any offence against the laws ecclesiastical shall be instituted in any Ecclesiastical Court, otherwise than is herein before enacted or provided." Now how far the jurisdiction of the University courts is reserved from the operation of that act,—how far such statutes of the University as treat of strictly clerical offences are considered part of the "Laws Ecclesiastical here mentioned," and how far the Vice-Chancellor's court may not now recognize an offence because it is also an ecclesiastical one, and so under the above Act,—are questions on which we should not like to give an opinion without much more inquiry than our time allows.

We can only just recommend to the reader a very able letter on the subject of this article in the *Times*, with the signature S., copied into the *English Churchman*, No. 25; and the short pamphlet second in our list "The Plea of the Six Doctors

examined." Torquemada's very clever and humorous epistle we cannot dismiss without a quotation, and that a long one:

"You wisely therefore inferred that a Puseyite, being an object of such general animadversion, might safely, if not fairly, be treated as *caput lupinum*—an animal to be hunted down and allowed no law. Some difficulty there might have been in affixing a charge so vague upon a given individual; for a distinct and intelligible definition of Puseyism has not yet been given to the world. You however have triumphantly cut this knot. No such difficulty could protect Dr. Pusey. With him you were safe. If there were no other Puseyite in the world—he at least was one.

"This happy choice however constitutes but a small part of your merit. You have not only revived the procedure of former Inquisitors—you have improved upon it. Of course in comparing you with these your illustrious predecessors, I have no intention of exploring the gloomy pages of Llorente, and of inquiring how things were managed whilst Spain still rejoiced in her Autos-da-fé. Such precedents would not be *in pari materiâ*. Racks and dungeons, and secret tribunals (good things enough in their time) have past into the world of shadows, or live only in melodramas. Now-a-days craft must supply the place of force. Every judge is in some sense responsible to public opinion, and he is the best Inquisitor who best knows how to elude that responsibility.

"Allow me, then, to illustrate your merits by a closer parallel. I have not very far to travel for the purpose. Jansenism, like Puseyism, was the offspring of a soft and refined age—like Puseyism it affronted the Spirit of its Age by preaching mortification and self-denial—like Puseyism also the charge was vague, and consisted in the imputation of the supposed opinions of one writer to a class—like Puseyism it not only divided divines, but, permeating the frivolous classes of society, disturbed even the repose of courtiers.

"Now what did they who, under the authority and in the name of Pope Alexander VII., condemned the book of Jansenius?—They laid down five distinct propositions, which they said they found in that book, and condemned them as heretical. Clumsy fellows! they did not foresee that the Jansenists would say, 'We agree with you, the propositions are heretical; unfortunately we do not find them in the book of Jansenius, and you, the Inquisitors, cannot point them out.' Hence, as you know, issue was joined on a question of fact; hence arose questions whether the Pope was as infallible in matters of fact as in matters of doctrine, and hence great scandal to the Church, and no small discredit to the Inquisition.

"Again, you will recollect that in the course of that controversy the Doctors of the Sorbonne had to deal with a letter of M. Arnauld. The situation of that writer, as represented by his admirers, was singularly like what many people believe to have been that of Dr. Pusey when he fell into your hands.

"'Ignorez vous,' says Pascal,—'*ignorez vous ces deux choses, que les moins instruits de ces affaires connoissent? L'une que M. Arnauld a toujours évité de dire rien qui ne fût puissamment fondé sur la tradi-*

tion de l'Eglise : l'autre que ses ennemis ont néanmoins résolu de l'en retrancher à quelque prix que ce soit ; et qu'ainsi les écrits de l'un ne donnant aucune prise aux desseins des autres, ils ont été contraints, pour satisfaire leur passion, de prendre une proposition telle quelle, et de la condamner sans dire en quoi, ni pourquoi. Car ne savez vous pas comment les Jansénistes les tiennent en échec, et les pressent si furieusement que, la moindre parole qui les échappe contre les principes des pères, on les voit incontinent accablés par des volumes entiers, ou ils sont forcés de succomber ? De sorte qu'après tant d'épreuves de leur foiblesse, ils ont jugé plus à propos et plus facile de censurer que de repartir, parcequ'il leur est bien plus aisé de trouver des moines' (when monks are not to be had, Heads of Houses will serve the turn) ' que des raisons.'

"How, then, did the Doctors of the Sorbonne deal with M. Arnauld? Hear again Pascal, whose prejudices do not lead him to extenuate the dexterity of these well-meaning men :

"On a choisi la seconde lettre de M. Arnauld, qu'on disoit être remplie des plus grandes erreurs. On lui a donné pour examinateurs ses plus déclarés ennemis. Ils emploient toute leur étude à rechercher ce qu'ils y pourroient reprendre ; et ils en rapportent *une proposition* touchant la doctrine, qu'ils exposent à la censure.'

"Again a *proposition* ! And what did the Jansenists ? Why they were men of learning, and they undertook to show that the proposition condemned was based on the authority of the Fathers. The Jesuits asserted there was a difference ; the Jansenists denied it ; and many have thought our friends had the worst of the argument.

"Now how have you, the Doctors of Oxford, dealt with Dr. Pusey ? Warned perhaps by the examples I have cited, you have not laid down five propositions : you have not even taken 'une proposition telle quelle' to condemn it. Not only are the why and the wherefore of the condemnation, but the thing condemned is shrouded in impenetrable mystery. Herein consists your immeasurable superiority over all inquisitors—past, present, and to come. Your opponents cannot take issue with you upon the fact, whether certain things are in Dr. Pusey's sermon, because of nothing do you assert that it is there. They cannot take issue with you upon the orthodoxy of what is there, because you refuse to state in what sentence or page of the Sermon heresy lurks, and nobody pretends that the whole is heretical. No issue can be joined where no issue is tendered. Your position was, in truth, a critical one. You make no pretensions to infallibility. Your 'placuit' does not even carry with it the weight of a decree of the Sorbonne. Hence, had you assigned any particular passage of the Sermon as pregnant with heresy, this dangerous man might have brought up his artillery of Fathers, crushed you with the weight of authorities, and peradventure proved you, his judges, to be the heretics. But you have condemned the whole. Powerless with all his learning, he cannot disprove the charge because there is no specific charge on the record. Let him show that each substantive proposition in his discourse is borne out by Cyprian, by Cyril, or by Augustine, you may still reply, 'It is not that we mean, the parts may be orthodox, but the whole is heretical, we have condemned and do

condemn it.' Honour then to you, Doctors of Oxford! To convict upon insufficient evidence, to sentence without hearing the defence, these are the mere commonplaces of injustice—but to try, to convict, and to condemn without specifying a charge,—without, to use technical language, laying a traversible indictment,—this indeed is a novelty in criminal jurisprudence, and entitles you to the high praise of inventive genius. Fallible Doctors—you have taken up a position less assailable than that of an infallible Pope. Protestants—you have shown yourselves less fettered by rules than the Inquisitors of Rome, more subtle than the Jesuits of the Sorbonne.”—*Torquemada's Letter.*

We may as well add, that an address, from the non-resident members of Convocation, has been privately circulated, and is now in process of signature. Such expressions of feeling are natural and useful; though in the present instance we think there are more direct and practical methods of vindicating law and justice. Signatures may be sent to Rivingtons, Stewart, and Burns.

“TO THE REV. THE VICE-CHANCELLOR OF THE UNIVERSITY OF OXFORD.

“We, the undersigned non-resident members of Convocation, beg leave respectfully to express our serious regret at the course which you have adopted with reference to Dr. Pusey's sermon.

“We deprecate that construction of the statute under which Dr. Pusey has been condemned, which, contrary to the general principles of justice, subjects a person to penalties without affording him the means of explanation or defence;—and we think that the interests of the Church and of the University require, that, when a sermon is adjudged unsound, the points in which its unsoundness consists should be distinctly stated, if the condemnation of it is intended to operate either as a caution to other preachers, or as a check to the reception of doctrines supposed to be erroneous.”

NOTICES OF BOOKS.

WE have received a great number and variety of works connected with Church-music; but are obliged to pass them over this time without particular notice, owing to the unavoidable postponement of an article on the subject, through the illness of the contributor.

Mr. Williams' "Holy Week," (Rivingtons,) probably came into the hands of most of our readers in time for use at the appropriate season. It is remarkable, we should say, for the various qualities it combines. It is a harmony, and necessarily involves some of the difficult questions of a harmony; and yet an easy, running narrative. It is written with Mr. Williams' own fertile, yet grave and simple flow; and, at the same time, is probably more patristic both in its style and in its matter, than any corresponding work in our language. The author sometimes absolutely surprises by his inexhaustible affluence of thought, still chastened by the deepest reverence.

Mr. Formby's "Visit to the East," (Burns), which has been long announced, has at last come out. To all who know any thing of the author it is unnecessary to say that it is a work of deep and original thought, exercised on subjects with which few have the opportunity of becoming acquainted. We may possibly be able to introduce the work to our readers more fully some future day.

Gieseler's "Text Book of Ecclesiastical History," a work of extraordinary labour and exactness, but of a liberal tone and not always fair, has been translated (from the third German edition), by Mr. Francis Cunningham. (Philadelphia, Lea and Blanchard; London, Wiley and Putnam.)

"Trust and Reason, or the Christian's Belief, its Rise, Progress, and Perfection, gathered from the Facts of Human Nature, &c. &c." (Parker, Oxford), is a very interesting little work, were it only that it deals honestly and openly with the facts of our nature and our outward circumstances as they exist, instead of going off, as is generally done by those who treat such subjects, into mere themes and an unmeaning assemblage of words. The writer differs from views which have been from time to time advocated in these pages on the subject in more than one important particular; the difference mainly arising, as it would seem, from a mistaken notion of our Church having ruled that a conscious examination of our Creed by the test of Scripture, is the duty at least of educated persons (see note, p. 25). He considers that educated persons have really better *grounds* for belief in Christianity than uneducated, not merely greater power of analyzing their own grounds (p. 22); and in harmony with this, is led to maintain a proposition which must surely carry its own condemnation to religious men (p. 15), viz. that "other systems, especially if grafted upon the common truths of natural religion, might draw out the feelings of our nature as strongly in other (and therefore false) directions, as Christianity does in the true ones. Very different in his first principles from the foregoing writer, is

Mr. De Bary, who has published "*Thoughts upon certain leading points of difference between the Catholic and Anglican Churches*" (Dolman, London), in which he professes the maxim, that "*it is never safe to study theology with any part save the intellect;*" and stigmatizes the practice of referring to *conscience* as our principal guide in such matters, under the title of "*appealing to the sensorium.*" Appealing himself merely to external and historical grounds, he enforces with great earnestness the claims of the Pope, and the duty incumbent on all members of our Church immediately to join in communion with him.

We are sorry to defer to a future number notices of many interesting publications, to which we cannot now do justice.

At present we can only mention Mr. Woodham's edition of Tertullian's *Apology*, with English notes and a Preface (Deightons, and Rivingtons), which, in the few references we have made to it, seems the work of a sound and careful scholar.

The quarter has been productive in manuals of devotion of a kind which must in the end supersede those of the mixed and indefinite character which marked the last generation: "*A Manual of Devotions for the Holy Communion*" (Toovey), only just published; a beautiful but cheap reprint of Lake's "*Officium Eucharisticum*," edited by Mr. Albany J. Christie (J. H. Parker), and a new edition of Kettlewell's "*Companion for the Penitent*" (Burns); "*Devotions for the Morning and Evening of every Day in the Week*," compiled from many sources, particularly from the Greek Devotions of Andrewes (Burns); a "*Companion for the sick room*, being a compendium of Christian faith and practice, chiefly compiled from the writings of divines of the '*Holy Catholic Church*'" (Burns.)

The first number of the Salisbury Breviary (Leslie, London) has re-appeared, with a second and greatly improved and enlarged edition of the critical and explanatory notes; in which, besides much interesting information as to the nature and order of the ancient services of the Church of England, and their distinctive character, is included also the first instalment of the differences between the Use of Sarum and those of York, Hereford, and Rome. Rare as are the Liturgical Books of the Salisbury Use, those of the other ancient Anglican Uses, our readers need scarcely be told, are very much more rare; so that their introduction must needs greatly enhance the value of a work, which, even without them, could not but have been hailed as a most important accession to our ecclesiastical literature.

It is intended to follow up the republication of the Breviary by that of the Missal, Manual, Processional, &c.—of all, in short, which the disorders of the 16th century have left, of the ancient services of the Church of England. For this purpose the editor calls on the public to assist (through the publisher, "who will give every necessary explanation"), as well by subscriptions and contributions (the latter being in fact rather loans), as by lending books and MSS. (especially copies of the York, Hereford, and other Anglican Breviaries, &c.), in carrying on what the liberality of a few individuals has at length so happily begun;—a call which we sincerely hope will not be made in vain. Besides the

general series,* it is intended to publish separately, 1. In English, "*Church of England Anthems*, for each morning and evening throughout the year, after the Use of Sarum;" 2 and 3, in Latin and English, with notes, "*The Complin*," or later evening service; and "*The Vigiliæ Mortuorum*," or prayer-service for the departed, after the Uses of Sarum, &c. Also, which will be particularly serviceable to the general reader, "Remarks on the ancient Offices and Rubrics of the Church of England, as compared with, and as illustrating and explaining, those of *The Book of Common Prayer*."

The number now given to the public is beautifully and carefully printed, and the preface and notes bear evident marks of much labour and research bestowed upon them, as well as of the extensive rubrical knowledge of the editor.

"A short and easy Catechism, for the use of young persons of the Church of England, compiled from authentic sources," (Toovey), appears a very excellent, full, clear, and instructive publication; and above all of a very *practical* character. It comprehends in a catechetical form various important subjects, which, in our church, have too generally been left to casual and solitary, rather than methodical and social instruction.

"Poems by A. J. Beresford Hope, M. P." (Rivingtons); dedicated, in a few beautiful and touching lines, to "his Mother." Though fragments, and though unequal, they bear abundant marks of genius, cultivation of mind, and, what is far better, amiable, generous, and Christian feeling. We are particularly pleased with the lines addressed to the Rev. T. Whytehead, the new archdeacon, we believe, of New Zealand, "with a copy of S. Augustine's works;" and those headed "*Vanitas Vanitatum*." Mr. Hope is a distinguished son of Cambridge, and of the same school of politics with Lord John Manners, which is saying enough to bespeak the interest of churchmen in his behalf.

Mr. Moultrie, well known as the author of "*My Brother's Grave*," has given to the world a second volume, containing "*The Dream of Life, Lays of the English Church, and other Poems*," (Pickering). Nothing can be more pleasing, unaffected and gentle than Mr. Moultrie's style; he has the art of securing and carrying with him the interest of the reader more than some poets, in whom there might yet be more to admire. His subjects are hazardous, because familiar and domestic. His poetry begins at home;—his former self, friends, schoolfellows, acquaintance, Church services, sacred seasons, are all brought within a charmed circle, and invested with a light as soft and sober, but perhaps more pure and religious than that which characterizes Crabbe's somewhat similar compositions. The "*Lays of the English Church*" are modestly "intended to be to general and unlearned readers, what '*The Christian Year*' and other works of that pure school are to persons of cultivated and imaginative minds." This is too much of a distinction. "*The Christian Year*," we are glad to say, is a favourite with many who are unlearned: and Mr. Moultrie's poems will be read with pleasure by the most cultivated and imaginative.

* In the announcement of last January, p. 282, l. 15, read: "We are promised also some separate reprints, accompanied, &c."

"How shall we Conform to the Liturgy of the Church of England?" by Mr. J. R. Robertson (Pickering), answers the question with a very full and interesting collection of authorities and historical notices relating to the early custom of the reformed English Church. Mr. Robertson seems to aim at a mean, but, like many who profess this view, he is far from being dispassionate, and betrays strong antipathies in both directions. Such a result goes very far to destroy the advantage of a mean. It is like having war in all one's borders at once.

The recent charge of the Bishop of Madras (Rivingtons) is one of unusual interest, as showing the singular and almost overwhelming difficulties which beset the path and prostrate the exertions of an Anglican bishop in India; and also as a testimony to the invaluable services of the Propagation Society. It is distressing to see any Englishman, much more a bishop, put on his defence for agreeing with Hammond, Hooker, and Sanderson; especially if we have reason to fear that the defence will not avail.

Lord Powis' Speech in the House of Lords against the proposed union of the sees of St. Asaph and Bangor, has been published (Murray) in a cheap form for distribution. It is a speech which ought to have been allowed to carry the question, and is at all events worth preserving.

Mr. S. R. Bosanquet, whose article entitled the Age of Unbelief (No. lxi.), in this Review, made a deep impression, as we are assured, on some of our readers, has re-published it, as the first of a series of Essays, entitled "Principia, or the Principles of Evil manifesting themselves in these last Times, in Religion, Philosophy, and Politics," (Burns). It is chiefly a collection of facts, drawn, evidently with most painful diligence, from every possible quarter, exhibiting an awfully dark, and, of course, one-sided view of the present state of things. The book is admirably adapted to awaken the consciences of those who, having consciences, yet, from too great facility, or an unwarrantable confidence in the maxims of the world, are content to follow the stream of circumstances wherever and through whatever corruptions it may and does lead them.

"The Perils of the Nation," (Seeley, Burnside and Seeley), is a work which goes over the same ground as the last, but is, perhaps, less an appeal to the conscience of the individual, and not quite so gloomy a catalogue of evils. It possesses also a more definite aim to certain schemes of social and political improvement.

"Aunt Elinor's Lectures on Architecture; dedicated to the Ladies of England" (Rivingtons), give a vast variety of information within a small compass, and in an easy conversational style. The authoress thoroughly feels her subject; and we do not doubt this elegant though unpretending little volume will be the means of communicating her taste and feeling to many a youthful learner.

"Specimens of Ancient Church Plate, Sepulchral Crosses, &c." (Rivingtons, and Burns), of which we have now two numbers, is a valuable work. We strongly recommend all people who are about to order communion plate to look first at these "specimens," which will not fail to convince them of the

poverty and insipidity of the usual modern patterns. We are all the more pleased to see this publication, from having been frequently requested to suggest or point out good models, and finding it impossible to do so.

Mr. Markland has published a new and greatly enlarged edition of his interesting and popular work, "*Remarks on English Churches.*" Many beautiful illustrations, and a chapter on substitutes for sepulchral monuments, have been added.

Mr. Relton's "*Sketches of Churches*" (Rivingtons), chiefly in Gloucestershire, Berkshire, Oxfordshire, and Wiltshire, may be recommended to persons attached to those counties, and who think as we do, that sacred edifices rival at least the natural features of the country in interest. As mere sketches, the engravings do not pretend to scientific exactness, but yet give a good idea of the buildings. Short descriptions are annexed.

"*Royal Genealogy and British Architecture*," (Varty), by Dr. Archibald Barrington, is a most splendid and elaborate chart or scheme, assisted with numerous coloured engravings, presenting a synoptical view of the two subjects in the title. A glance or two at such a plan will sometimes give a truer, and larger, and certainly more vivid idea of the subject than many pages of reading. *Segnius irritant*, &c.; and Dr. Barrington appears to possess the art of speaking to the eye. The scheme is made up in various forms, to suit the convenience of the purchaser; and a small explanatory volume accompanies it.

"*Fables, Stories, and Allegories*" (Burns) are a very pretty and varied little collection.

A correspondent, to whom we feel greatly obliged, has called our attention to a statement in our last number, which he considers to require qualification. It occurs in a note, if we remember right, to the article on National Holidays, and is to the effect that there was not a single clergyman in all Cabul from the first invasion to the final disaster;—a statement for which the writer had respectable authority. However, it appears that it does admit of qualification, to what extent remains to be seen. The correspondent has kindly written to India for the facts of the case. At present all that we can say with certainty is that the Rev. George Pigott came with Lord Keane's army from India, attended it throughout its campaign, was present at the storming of Ghuzni, and the occupation of Candahar and Cabul, had communications with the Armenians at Cabul, and returned to India with Lord Keane. Of course so solitary and brief an exception would only serve to make the darkness more visible. But we wait to hear of more considerable qualifications. "In all that the editor has said about our Indian empire," our correspondent says, "he substantially agrees with him, and was anxious that the success of his endeavours to draw the attention of the English public to the subject should not be impaired by any statement which might look like exaggeration, or be known to be inconsistent with fact."



